ACCOUNT of the SUBVERSION

OF THE

LEGAL GOVERNMENT

AT

MADRASS;

BY

IMPRISONING the GOVERNOR, LORD PIGOT.

IN

AUGUST, 1776.

The Reader is desired to make the following alterations.

Page.	line.			
3	20	*after* was,	*put*	within the limits of the Governor's Military Authority
7	12	*after* garrison, *for* ,	*put*	;
	24	*for* Nabob's house,	*read*	a house belonging to the Nabob
17	25	" The President having		" The President—" Having
18	13	*dele* the		
19	28	*after* even,	*put*	,
33	16	induced		adduced
42	6	*after* Lord Pigot	*add*	from being
43	9	*after* examination, *for* .	*put*	,
52	27	that		,
	last	give		,
53	22	*dele* that		
57	1	*after* order *for* .	*put*	,
105	20	*for* suspesi	*read*	suspension

A REPLY

To a

" LETTER from ANDREW STUART, Esq;

To

The Hon. the Directors of the East-India Company,"

By

ALEXANDER DALRYMPLE, Esq;

A Member of the *Council* at FORT ST. GEORGE.

Ne quid falsi dicere audeat, ne quid veri non audeat. CICERO.

LONDON:

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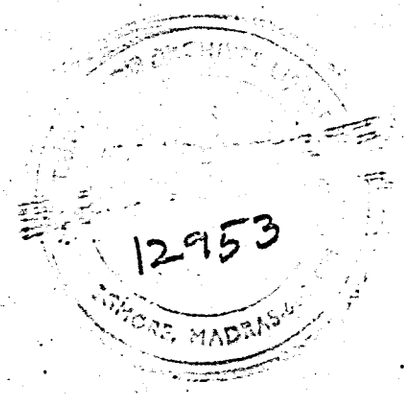

ADVERTISEMENT.

I Am ſenſible of the diſadvantage I labour under, by being obliged to enter the liſts with ſo diſtinguiſhed a writer as Mr. Andrew Stuart, however I have *truth* for my refuge, and I entertain the utmoſt confidence in the candour of the publick: my intention in the following publication is, not only to reply to Mr. Andrew Stuart's letter, but, to bring within a ſmall compaſs the whole proceedings concerning the Revolution at Madraſs, in Auguſt 1776, which the Eaſt India Company call a *total ſubverſion* of the *legal government*. I mean to give the *truth*, the *whole* truth, and *nothing but* the truth; I am not conſcious of any eſſential omiſſions or miſtakes, and, I can confidently aſſert, there are no wilful miſrepreſentations: the conſideration of this matter coming on before parliament did not permit that careful attention, to the language and arrangement, which I could have wiſhed to have beſtowed on it, but I hope it will no-where be found unintelligible.

I have entirely avoided entering on the ſubject of the coroner's inqueſt: I am very ſenſible of my inability to combat with a *Stuart* in the extenſive regions of Law Myſtery! however I cannot omit obſerving that Mr. Ram, was not a coroner of Lord Pigot's appointment, but in poſſeſſion of that office ſome years before his Lordſhip's return to India; nor was he a perſon attached to Lord Pigot from any obligations conferred upon him: the character Mr. Ram always bore in the ſettlement, was that of a very worthy, able, diligent and uſeful young man.

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Chronology is the Touchſtone of Truth; without Dates *Hiſtory is Fable and Romance.*

A Letter to the Court of Directors having been printed and circulated by Mr. Andrew Stuart, reſpecting the conduct of his brother Col. Stuart, and it being my wiſh that the Publick ſhould have the matter compleatly before them, I think it will be proper therefore to ſtate fully the proceedings, of thoſe men who overturned the legal government, and of Lord Pigot and his friends who endeavoured to ſupport it.

As much ſtreſs is laid on the *Order* to *Col. Stuart* being *ſigned* by HIS COMMANDER in CHIEF, a few introductory remarks on the nature of the Company's Government appear neceſſary: and in theſe remarks I ſhall avoid every thing that can admit of controverſy, however favourable to the ſide of the queſtion on which I was.

The Company's ſettlements in India are under the adminiſtration of a Preſident and Council; the Preſident having been, till of late years, *Governor* of *all* the *Forts*, and COMMANDER in CHIEF of *all* the *Forces* employed within the Juriſdiction of that ſettlement over which he preſided.

A Commiſſion having been given to General Lawrence as *Commander* in *Chief* of *all* the Company's troops in India, doubts aroſe concerning the military authority of the Governor.

The Company, *in a ſtanding order* on the 19th February 1766, ſettled this matter on the cleareſt footing, viz.

" We do hereby eſtabliſh, as a *poſitive order never to be departed* " *from*, that the Civil Power in all our ſettlements ſhall be ſuperior " to, and command the Military; that our *Governor* for the time " being, ſhall be conſidered, by virtue of the Commiſſion he bears " from us as *Commander* in *Chief* of *our Forces*, the SUPERIOR MILI- " TARY OFFICER, and in conſequence thereof inveſted with a power " of *commanding* ALL *others*, of putting *ſuch* in *arreſt* who *diſobey his* " *orders*, and in general with every other power belonging to a Supe- " rior or Commanding Officer. And if at any time *any Officer* in our " ſervice, of WHAT RANK SOEVER, even though he ſhould bear a " Brevet or Commiſſion from the King, ſhall refuſe to obey the " orders of our Governor, or *acknowledge himſelf ſubject* to *arreſt* by " his command, it is our *poſitive order* that ſuch Officer be from *that* " *moment diſmiſſed our ſervice*," and they add, " We perſuade our- " ſelves that *General Lawrence*, ſeeing the dangers that muſt attend a " doubt concerning the right in a Military Command, will be equally " ſenſible of the propriety, we may ſay *neceſſity*, of eſtabliſhing the " foregoiug order *without exception of Perſons*."

When General Clavering was appointed *Military* Commander in Chief *, he gave in a *Memoir*, as he ſtiled it, objecting to the Military

* *Military* Commander in Chief is the *term* uſed by the Company to diſtinguiſh *That Officer* whom, ſubordinate to the Preſidents and Council, they had appointed to the command of *all* their Forces, except the *Garriſons* and *Guards* immediately under their Governor.

authority

authority of the Governors in India: upon which the Company came to a reſolution to change the ſyſtem that had hitherto ſubſiſted in their ſettlements. By this new arrangement the Governors were no longer by their Commiſſion, to have, *diſtinct* from their *Council*, the authority of *Commander* in *Chief* over *all* the *Troops* employed under that Preſidency which they governed; but the Governor had a *particular Commiſſion* from the Company, conſtituting *Him* COMMANDER in CHIEF of *all* the *Forces* employed within the Fort, Garriſon and Town of Fort St. George and Madraſs; and requiring " ALL Commiſſion " Officers, Non-commiſſion Officers, Soldiers, and *others belonging to* " *their Military Forces*, and all the people and inhabitants *employed* or " *reſiding* in their ſaid Fort, Garriſon and Town, to yield *him as* Go- " vernor and *Commander* in *Chief* due obedience accordingly."

The Military Authority therefore of the Governor, as Commander in Chief, remained the ſame, only the limits of his Command were reſtricted to the Fort, Gariſon and Town where he reſided; and, by the new Military regulations, to *his own guard* when *out* of *that* Garriſon.

By the ſame new Military Regulations, the province of the *Military Commander* in *Chief* was expreſsly *confined* to REGIMENTAL *detail* and *Military Diſcipline* of the *Troops*, and all orders on theſe heads were to be communicated to the *Governor* for his *approbation* before iſſuing them to the Troops in *Garriſon*.

It is therefore beyond diſpute obvious, that in Madraſs Lord Pigot, and *no other*, was the *Commander* in *Chief*.

Beſides this Commiſſion to the Governor, eſpecially appointing him *Commander* in *Chief* within certain limits, he had another commiſſion from the Company, which is uſually called the *Commiſſion of Government*; as he is thereby appointed Governor of all Forts, &c. and Preſident of the Council therein named, which Council is expreſsly declared

declared to be, the *better* to *enable* HIM to *manage* the *Company's affairs*.

By this Commiſſion the authority of Government is veſted in the PRESIDENT AND *Majority of Council*, ALL of whom are to be *ſummoned* except thoſe *abſent* as *Chiefs* of ſubordinate ſettlements: if any perſons do not attend the ſummons they cannot vote *by proxy*; nor is the joint *Act* of the *Preſident* and *Majority* an *Act* of *Government*, without the other Members being ſummoned.

The Firſt Act of every new Government is to read, at the head of the troops, the Company's Commiſſion conſtituting the new Governor; who is declared in that Commiſſion to be *removeable* ONLY by the COMPANY: the neceſſity of ſummoning every Member of Council is notified in that Commiſſion: The powers of that Commiſſion are therefore ſuppoſed to be known by every one; when Lord Pigot's Commiſſion was read on the parade, Sir Robert Fletcher, the Military Commander in Chief, was preſent *on duty:* and all officers by their Commiſſions are ordered to obey the *Preſident* and *Council*, without the leaſt proviſo concerning a Majority.

This Introduction of *incontrovertible Facts* appeared to me neceſſary; and I think it alſo proper to add, that, by the New Military Regulations, *every Officer* was required to *obey all Orders* SIGNED by THE PRESIDENT AND COUNCIL, or by *their Secretary*, in their name.

Mr. Andrew Stuart is pleaſed to ſay, P. 3. that "before Colonel "Stuart's *arrival*, there had been many diſputes and diſſentions be- "tween Lord Pigot the Governor, and the Members of the Council "at Madraſs. The conteſt and animoſity between them with regard "to ſome matters of Government, *was far advanced* at the *time of* "*Colonel Stuart's arrival*, and according to all appearances in a way of "increaſing daily."

If all the records of Lord Pigot's adminiſtration *before* Colonel Stuart's *arrival* had *not been publiſhed*, we might in candour ſuppoſe Mr. Andrew Stuart had been miſinformed; but theſe records ſhew, that *when* Colonel Stuart *arrived* there was no *conteſt* or *animoſity* between Lord Pigot and his Council.

Colonel Stuart arrived the 1ſt May, 1776: Lord Pigot was then on his return from Tanjour. His Lordſhip reached Madraſs the 5th May. On the 13th he laid before the Council an account of his proceedings on that Commiſſion: The Board approved of Lord Pigot's proceedings.—His Lordſhip, in his letter of 15th October 1776 to the Court of Directors, has himſelf declared, "He had not, on his im- "mediate return from Tanjour, any apprehenſion of an oppoſition in "Council." Nor was there *any oppoſition* till the end of the month, when the reſolution was taken concerning Mr. Benfield's private claims on the Tanjour country.

Mr. Andrew Stuart, p. 4. continues: "In particular, the diſſention "between Lord Pigot, the *Governor*, and Sir Robert Fletcher, the "*Commander in Chief*, ſoon encreaſed to ſuch a height, that in the "month of July, 1776, Lord Pigot *iſſued* an *order* for putting Sir "Robert Fletcher under arreſt, and offered the command of the army "to Colonel Stuart, then ſecond in command. This, *though a very* "*inviting offer*, Colonel Stuart declined; HE ACCOMMODATED the "differences between the *Governor* and *Commander in Chief*; PREVAILED "on LORD PIGOT to WITHDRAW THE ARREST; and Sir Robert "Fletcher was THUS continued in the command of the army."

The only circumſtance, in the papers publiſhed by the Company, concerning this matter, is in Vol. 2. p. 74. in a *note* upon the extract of General Clavering's private letter to Sir Robert Fletcher, which, it

is reported, was handed about the Garriſon by an orderly Serjeant, wherein General Clavering ſays, " Putting Sir Robert in arreſt, and " upon the pretence alleged, was the moſt violent act of deſpotiſm " he ever heard of."

The note obſerves, The Charge given to the Board by the Preſident againſt Sir Robert Fletcher, was for *diſobedience* of *Orders* and *infidelity* to the Company; ſome of Sir Robert's friends thereupon requeſted, that the matter might be paſſed over, and nothing more ſaid of it.—The Preſident aſſenting, Meſſrs. Jourdan and Mackay went to Sir Robert, and returned to Council with him.

As this matter is not fully explained in the papers publiſhed by the Company, and as Mr. Andrew Stuart may have paſſed over the note above referred to without notice, and may have never ſeen my letter to the Court of Directors, in which I have contradicted this very allegation of *Colonel Stuart's having accommodated the Buſineſs*, when made by Mr. Capper, I will ſuppoſe he has not wilfully miſrepreſented the matter; but as it is, however, totally miſrepreſented, I perſuade myſelf it will be acceptable to the publick to receive a juſt repreſentation of it, which ſhall be as full as my memory will admit, and I can aſſure them I ſhall ſay nothing that I do not well recollect, and for the truth of which I can appeal to all the Members preſent.

Lord Pigot himſelf *put* Sir R. Fletcher *under arreſt* at the Company's Garden-Houſe, and immediately ordered the Council to be ſummoned; when met, he informed them he had put Sir Robert Fletcher under arreſt, and deſired that the Council would concur with him in iſſuing a warrant for a General Court Martial: his Lordſhip's authority to put Sir Robert under arreſt was denied by ſome of Sir Robert's friends, who declared it was an indignity ſo injurious to Sir Robert, that no reparation

reparation could be made to it; that the circumſtance would be immediately tranſmitted to the Courts of all the Country Powers: and they ſaid much more to the ſame purpoſe, inſinuating, That they would not agree to iſſue a Warrant for a Court Martial: Lord Pigot inſiſted that he had a right to require a Court Martial, and that it was not left diſcretionally to the Council to refuſe iſſuing the Warrant. I urged that the Governor's right to put Sir Robert under arreſt was unqueſtionable, and the ſtanding order on that head, as before recited, was produced; Mr. Mackay (I think it was) urged that the New Regulations had ſuperſeded this order; the *Eſpecial* Commiſſion to the Governor, as Commander in Chief, being referred to, he changed the ground, and alleged, that Sir Robert was not part of the Garriſon, but the words of the Commiſſion and the Standing Order, could not be explained away.

When Lord Pigot produced the charge " for *Diſobedience* of " *Orders* and *Infidelity* to *The Company*" they at once changed their tone, and requeſted, that Lord Pigot would bury the whole in oblivion, and let Sir Robert return to the Council; to which his Lordſhip aſſenting, they urged him ſtrongly to *promiſe*, " that He would never " again put Sir Robert under arreſt;" but this his Lordſhip poſitively refuſed, declaring that he never would make any ſuch promiſe, though he hoped there would not in future be any neceſſity for doing it, and that He would not do it without neceſſity.

Mr. Jourdan and Mr. Mackay went out to the *Nabob's Houſe*, in which Sir Robert lived, on Choultry Plain, about two miles from Madraſs, and where Sir Robert continued under his arreſt; theſe two gentlemen brought Sir Robert back in the chariot with them.—When Sir Robert came to the Council Board, Lord Pigot was beginning to ſay ſomething to him, when Sir Robert interrupted his Lordſhip, by obſerving, he was very much at a loſs, as he underſtood from the

the gentlemen with whom he had come in, that it had been agreed to bury the whole in oblivion, and to ſay nothing on the ſubject. That, for his own part, he had only one objection, which was, that he had given his word and honour to Mr. Harriſon, before he left England, that he never would agree to ſuppreſs any part of the records, I took notice, that I did not think what paſſed in Council could be conſidered as more than converſation till made a record; but that at any rate it could only affect us who were preſent, and not him who had been abſent. The foul minutes were accordingly cancelled, and a letter Sir Robert had written to the Preſident and Council on the occaſion of his arreſt, was withdrawn.

The name of Col. Stuart was not once mentioned on the occaſion. The matter was taken up and ſettled in Council, where Col. Stuart, having no ſeat at the Board, neither was, nor could be preſent; ſo that it is impoſſible for Col. Stuart to have had the *ſmalleſt* ſhare in accommodating the differences between the Governor and Sir Robert Fletcher, nor did He in *any degree* PREVAIL with Lord Pigot to withdraw the *arreſt*; nor was Col. Stuart in the leaſt inſtrumental at that time in continuing Sir Robert Fletcher in the command of the army.

Many People thought Lord Pigot to blame in withdrawing the arreſt, but his Lordſhip had ſeveral motives to aſſent to this propoſition, when urged to it by Sir Robert's friends.

Sir Robert Fletcher's friends, as before obſerved, had conſidered the *arreſt* as an indignity not to be atoned; they had acknowledged his Lordſhip's right to put Sir Robert under arreſt by their urging him to promiſe that He would not again exert it: He had nothing vindictive in his nature; he concluded Sir Robert would be checked by this, and behave in a different manner in future: beſides if the majority

jority perſiſted not to concur in iſſuing a warrant for a Court Martial, the Governor could not iſſue this warrant without their concurrence*, nor could he *compel* them to give their concurrence, however conformable to reaſon and juſtice.

The whole was agreed, at the earneſt requeſt of Sir Robert's friends, to be buried in oblivion, nor was it publiſhed by Lord Pigot or his friends, till it was found that Sir Robert, in breach of that agreement, had written to General Clavering, whoſe reply he is reported to have circulated about the garriſon after Lord Pigot's impriſonment.

Col. Stuart, as Lord Pigot informed me, and as he alſo informed Mr. Ruſſell, had ſuggeſted to his Lordſhip a queſtion, "If the ma-"jority ſhould try an experiment of removing their Governor?" but whether this hint was on occaſion of Sir Robert's *firſt arreſt*, or on what other occaſion I cannot ſay. The world may perhaps think it indicates the fountain from whence ſprung the future proceedings of that majority.

Mr. Andrew Stuart repreſents the violent meaſures purſued at Madraſs as the natural conſequence of diſputes between the Governor and the majority of the Council, concerning their reſpective powers in the Government; diſputes in which Col. Stuart was no otherwiſe concerned, than as bound to *obey* the *Orders* of one party or the *other*: On the contrary it is notorious, that Colonel Stuart himſelf was *the*

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* His Lordſhip, after Sir Robert Fletcher's friends had ſtrongly preſſed the burying what had paſſed in oblivion, aſked Mr. Ruſſell apart, in the window of the Council Room, his opinion of the propoſal, and whether it ſhould be accepted; Mr. R, in anſwer, told Lord Pigot, that he did not ſuppoſe Sir Robert or any military man could poſſibly acquieſce in the propoſition, becauſe it would be taking guilt to himſelf; however, if he did, Mr. R. ſaw no objection to aſſent to it, more eſpecially as Sir Robert with ſuch a charge againſt him, not only uncleared, but, by the interceſſion of his friends, unenquired into, muſt afterwards be upon his good behaviour.

ſubject,

ſubject, perhaps I might ſay the *only ſubject* of thoſe diſputes, and that the violent meaſures purſued aroſe entirely from the obſtinate reſolution of the majority to ſend Colonel Stuart to Tanjour at all events; which was a much *more inviting offer* than the command of the army at Madraſs, where the emoluments of the office were not, in time of peace, adequate to the expences incident to the ſtation. On 16th May, 1776, Col. Stuart was appointed to the command of *Vellour:* the Preſident at that time informed the Council that Col. Stuart had wrote a letter to *him,* expreſſing a wiſh to be ſtationed to the *Southward,* but the reaſons aſſigned by Sir Robert Fletcher for appointing him to Vellour, which was the only vacant command, were ſuch as every member approved, and the Preſident did not urge the matter. Thus a *few days after* Col. Stuart's *arrival,* he had fixed his *eye* on *Tanjour* and *want* of *perſeverance* in *his purſuits,* is not one of the things laid to his charge.

On the 22d June Colonel Stuart wrote a letter to Sir Robert Fletcher, which Sir Robert laid before the Board on the 25th, *viz.* (Vol. I. p. 301.)

To Brigadier-General Sir Robert Fletcher, Commander in Chief of the Forces under the Preſidency of Madraſs, &c.

" Permit me, Sir, to take this occaſion of repreſenting to you, " with becoming deference, that according to the beſt information I " am able to obtain, reſpecting the importance of the ſeveral military " poſts or commands, where the principal officers under this Preſi- " dency are at preſent placed, it ſeems to me that the command of " the troops in the fort and garriſon of Tanjore, with the depend- " encies in that country, where the Company have ſo lately acquired " influence, is on every account, the moſt important of any under " this Preſidency.

" Thus

" Thus impreſſed, I ſhould be wanting to myſelf, and to the rank " I have the honour to hold next to you, if I did not take occaſion, " *through your means,* to repreſent to the Honourable Board, that *ac-* " *cording* to the *general practice* or *courſe of military ſervice,* the moſt " reſponſible command under this Preſidency does, by the rank I hold, " BELONG *to me,* in caſe you yourſelf, Sir, do not occupy that poſt. " I do not infer from thence, that the Honourable Board may not, at " their own diſcretion, appoint me to any ſtation, and I know it is my " duty FIRST to OBEY.* But I hope, Sir, through your favourable " repreſentation to the Board, that the *uſual practice* of the *army* will " on this occaſion take place, eſpecially as it ſeems to have been the " rule obſerved in the laſt diſtribution of cantonments or quarters for " the troops on this eſtabliſhment, recommended in 1775 by General " Smith, where the choice of the principal command is expreſsly left " to Colonel Lang as the ſenior Colonel.

" In this manner I eſteem it a duty, *through you,* to repreſent this " matter to the Honourable Board, and ſhall think myſelf peculiarly " happy if it meet with your recommendation and ſupport.

" I have the honour to be, Sir,

" *Fort St. George,* " Your moſt obedient,
" *June* 22, 1776." " And moſt faithful humble ſervant,

(Signed) JAMES STUART."

It was ordered to lie upon the Table.

On the 9th July it was taken into conſideration.—And the following is an extract of the conſultations on the ſubject.

* He had been appointed by the Preſident and Council to Vellour, at the particular recommendation of Sir Robert Fletcher, but had never gone thither, having requeſted Lord Pigot that he might remain at the Preſidency for ſome time.

Sir

Subject, perhaps I might ſay the *only ſubject* of thoſe diſputes, and that the violent meaſures purſued aroſe entirely from the obſtinate reſolution of the majority to ſend Colonel Stuart to Tanjour at all events, which was a much *more inviting offer* than the command of the army at Madraſs, where the emoluments of the office were not, in time of peace, adequate to the expences incident to the ſtation. On 16th May, 1776, Col. Stuart was appointed to the command of *Vellour:* the Preſident at that time informed the Council that Col. Stuart had wrote a letter to *him*, expreſſing a wiſh to be ſtationed to the *Southward*, but the reaſons aſſigned by Sir Robert Fletcher for appointing him to Vellour, which was the only vacant command, were ſuch as every member approved, and the Preſident did not urge the matter. Thus a *few days after* Col. Stuart's *arrival*, he had fixed his *eye* on *Tanjour* and *want* of *perſeverance* in *his purſuits*, is not one of the things laid to his charge.

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" Thus

" Thus impreſſed, I ſhould be wanting to myſelf, and to the rank " I have the honour to hold next to you, if I did not take occaſion, " *through your means*, to repreſent to the Honourable Board, that *ac-* " *cording* to the *general practice* or *courſe of military ſervice*, the moſt " reſponſible command under this Preſidency does, by the rank I hold, " BELONG *to me*, in caſe you yourſelf, Sir, do not occupy that poſt. " I do not infer from thence, that the Honourable Board may not, at " their own diſcretion, appoint me to any ſtation, and I know it is my " duty FIRST TO OBEY.* But I hope, Sir, through your favourable " repreſentation to the Board, that the *uſual practice* of the *army* will " on this occaſion take place, eſpecially as it ſeems to have been the " rule obſerved in the laſt diſtribution of cantonments or quarters for " the troops on this eſtabliſhment, recommended in 1775 by General " Smith, where the choice of the principal command is expreſsly left " to Colonel Lang as the ſenior Colonel.

" In this manner I eſteem it a duty, *through you*, to repreſent this " matter to the Honourable Board, and ſhall think myſelf peculiarly " happy if it meet with your recommendation and ſupport.

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Sir

" Sir Robert Fletcher—for the reaſons aſſigned in Colonel Stuart's letter, and *becauſe* he *wiſhes* to have Colonel Stuart's *ſentiments* upon the *ſtate* of the *Fort and Country* of Tanjour, with reſpect to their defence, particularly at a time when there is intelligence of armaments coming from France,* recommends that he be appointed to the command of Tanjour."

" Mr. Dalrymple.—Colonel Stuart's letter ſays, " that according to " the beſt information he is able to obtain, reſpecting the importance " of the ſeveral military poſts or commands, &c. *it ſeems* that the " command of the troops in the fort and garriſon of Tanjour, with " the dependencies in that country, where the Company have ſo " lately acquired influence, is on every account, at this criſis, the " moſt important of any under this Preſidency," and on this he alleges, that according to the general practice or courſe of military ſervice, the *moſt reſponſible command* does, by the rank he holds, belong to him, in caſe the Commander in Chief does not occupy that poſt.

" Col. Stuart was appointed to Vellour to ſucceed Colonel Lang, who had been called down to Madras; and inſtead of proceeding forthwith to his command in the *ſpirit* of military ſervice, he lays in a claim to a different command; alleging, that his rank entitles him to the moſt reſponſible command, and then determines for himſelf *what*

* Vid. Vol I. P. 228. " Intelligence of large quantities of military ſtores landed " lately at Pondicherry; it is alleged theſe are for Hyder Ally: It is ſaid 1200 " men have been landed from the ſhips of this ſeaſon at the iſlands with a quantity " of ſtores and ammunition; and that the Ferme, a 64 gun ſhip is daily expected " with a frigate at Pondicherry, having on board 400 military, and many of the " old officers who ſerved in India during laſt war". If there was any truth in theſe reports Vellour was a place of the greater importance.

is

is the *moſt reſponſible* command, a point on which he has no right to deliberate.

" On Colonel Stuart's arrival, Colonel Lang commanded the firſt regiment, whereof one battalion was ſtationed at Vellour, from which garriſon Colonel Lang had been called down to Fort St. George on Lord Pigot's arrival, and the vacancy at Vellour was not filled up; the other battalion was ſtationed to the Southward, ſeven companies at Trichinopoly, and only three companies at Tanjour. Col. Stuart made choice of this regiment.

" The Commander in Chief recommended, with great propriety, that Col. Stuart ſhould be appointed to Vellour, as the greateſt body of his regiment was there, and as that garriſon only was vacant. The Preſident at that time informed the Board, that Colonel Stuart had expreſſed a wiſh to go to the Southward; I very heartily concurred with the Commander in Chief for the ſubſtantial reaſons he aſſigned, as did the other members of the Board, none making any objection, except what the Preſident had ſaid.

" Notwithſtanding this reſolution, taken on ſuch good grounds, and well conſidered, Colonel Stuart thinks proper to demur, alledging Tanjour is a place of *moſt importance*.

" That Tanjour is a place of the *utmoſt importance* I readily admit; but its *importance* is not *military*, but *political*. It is no frontier; it is not expoſed to any attack; the garriſon is only one hundred and eighty-four Europeans, fourteen artillery included; and although there are three battalions of Sepoys in the Tanjour dominions, two of theſe are diſperſed over the country in ſmall parties, to protect the Rajah's officers in collecting the revenues; and when the Rajah's government is properly eſtabliſhed, the garriſon of Tanjour will not be

greater

greater than at preſent; and if ſo many of the Sepoys are kept in that country, it will probably be thought neceſſary to keep the greater part near to the ſea coaſt inſtead of keeping them at Tanjour.

" Vellour is garriſoned with 544 Europeans, including 12 artillery, and 1900 Sepoys. Vellour is a frontier place; and if Hyder or the Marattas invade the Carnatic, it is on that ſide they are to be expected."

" Sir Robert Fletcher.—Mr. Dalrymple aſſerting in his minute, that when the Rajah's government is properly eſtabliſhed, the garriſon of Tanjour will not be greater than it is at preſent, the Commander in Chief does not know by what authority it is that Mr. Dalrymple ſo poſitively fixes what ſhall be the garriſon of Tanjour; but it is his (the Commander in Chief's) opinion, that Mr. Dalrymple's judgment of the garriſon is extremely erroneous; and that the garriſon ought to be at leaſt one compleat battalion of European infantry, one hundred artillery, and four battalions of Sepoys, according to the preſent eſtabliſhment of one thouſand each, independent of the garriſons to be allotted for the forts dependant upon Tanjour."

Whereupon, " Mr. Dalrymple acquaints the Board, that he has no other authority for ſuppoſing what will be the garriſon of Tanjour, than from the ſize of the little fort; and is perſuaded, that unleſs the troops are kept diſtinct from the natives, that it will be impoſſible to maintain harmony at Tanjour."

" The Preſident then laid before the Board the following extract of a letter from the Rajah of Tanjour to his Vackeel.

" It is talked here, that Colonel Stuart will be ſent to command in
" this place; you will therefore tell his Lordſhip, that Colonel Har-
" per, who commands at preſent, is acquainted with the nature of af-
" fairs

" fairs here, in ſome degree, wherefore I think it will be better to
" continue him in the command for the preſent, than to appoint any
" new man, or a ſtranger to this country; you will inform this to his
" Lordſhip."

" The Preſident collected the ſenſe of the Board as to the appointment of Colonel Stuart to the *command* of Tanjour, recommended by Sir Robert Fletcher.

" Mr. Mackay *for* the appointment.

" Mr. Palmer, Mr. Jourdan, } Officers *claiming particular commands*, yet the *ſame being reſpectfully ſet forth*, and the Commander in Chief recommending Colonel Stuart to be put into the command of Tanjour, we *acquieſce* therein."

" Mr. Stone.——" The reaſons urged by Sir Robert Fletcher for Colonel Stuart's being ordered to Vellour, when it was propoſed he ſhould go to the ſouthward, appeared to me ſo ſatisfactory, that I had no doubt of the propriety of the meaſure, and therefore readily concurred therein. I ſee no one reaſon aſſigned in Colonel Stuart's letter, which did not exiſt at the time Colonel Stuart was ordered to Vellour, and therefore cannot change my opinion. I have no objection to his being ordered to proceed to Tanjour, or to any other place, for the purpoſe of tranſmitting to the Commander in Chief, ſuch information as may be neceſſary with regard to the ſtate of the fortifications and diſcipline of the troops, but I think it improper that the ſecond in command ſhould be fixed where ſo ſmall a part of the troops of his regiment are ſtationed, and when by far the moſt conſiderable part of it is ſtationed at Vellour, a place, in my opinion, of much more importance, from its ſituation, than Tanjour."

" Mr.

" Mr. Floyer.——" For the reaſons aſſigned by the Commander in Chief, in his minute now before the Board, I am of opinion, that Colonel Stuart ſhould be ordered to proceed to the duty recommended by *his* Commander in Chief: and that he ſhould, conſequently, as a ſenior officer to Lieutenant Colonel Harper, take upon him the command of the troops in the fort and country of Tanjour, at preſent under the command of Lieutenant Colonel Harper, *during ſuch ſervice* as *the* Commander in Chief *has pointed out to be neceſſary.*"

The minute is in *itſelf* very *ambiguous*, as it implies only a temporary command of the troops in Tanjour, whilſt *preſent there* for the purpoſe of informing the Commander in Chief of the ſtate of the garriſon.

This was not the *appointment* recommended by Sir Robert Fletcher, and claimed by Colonel Stuart. The *appointment* he claimed was " to " be commandant of Tanjour," however Mr. Floyer concludes his minute. " I am *therefore* for his appointment." So that his *reaſoning* is on *one ſide*, and his *vote* on the *other*.

" Mr. Dalrymple.——" I am *againſt* the queſtion, for the reaſons aſſigned in my minute, to which I muſt add, that appointing Colonel Stuart to the *command* of the *garriſon* of Tanjour, appears to me to preclude him from inſpecting the forts of Trichinopoly, &c. which the Commander in Chief, in the preſent ſtate of his own health, declared he thought it *neceſſary* for *Colonel Stuart to do*; and I think the *Rajah* having *requeſted that Colonel Harper be continued*, the Board *ought to pay attention to his wiſh*."

Sir Robert Fletcher, who had not attended to the paragraph before inſerted, from the Rajah to his Vakeel, aſked if the Rajah had made ſuch an application? Although this *ſtaggered*, it did not *ſtop him*.

" Mr.

" Mr. Ruſſell.——" I aſſented to Colonel Stuart's being appointed to the command at Vellour, for the reaſons given by the Commander in Chief, which induced me to believe it was the moſt important command. I know of no change of circumſtances, and therefore muſt abide by that opinion, and therefore am *againſt* the queſtion."

" Mr. Brooke——Is for the appointment of Colonel Stuart, becauſe Tanjour, *a place of great importance*, is in a *defenceleſs ſtate*; becauſe there is intelligence of the French ſending armaments this ſeaſon, and it becomes neceſſary that we have the *ſentiments* of the *ableſt perſons* laid before the Board, in order that *it* may be put in the beſt ſtate of defence poſſible: and *more particularly* becauſe the Company have appointed him *ſecond in command*, and he is recommended by Sir Robert Fletcher."

N. B. No *opinion* or *vote* of Sir Robert Fletcher.

" Mr. Stratton.——" On the *recommendation* of the Commander in Chief, (which the Company directs that we ſhould always pay *due attention* to) I am of *opinion* that Colonel Stuart ſhould be appointed to the command of Tanjour; more particularly as the Commander in Chief declares in the minute of this day, that the garriſon there ſhould conſiſt of *one compleat battalion of Europeans*, *one hundred Artillery*, *and four battalions of Sepoys* *; from which I muſt conclude, that he purpoſes recommending ſuch a diſpoſition of the troops, when he lays this ſubject before the Board."

" The Preſident having recommended to the conſideration of the Commander in Chief, that the troops at Poonamallee and Vellour ſhould

* Vide Rajah's complaint of part of the Sepoys left by Lord Pigot being withdrawn by Mr. Stratton, &c.

be joined in one body, which the preſent ſtate of affairs ſeems to require, from the great difficulty in ſupplying proviſions for the troops in this part of the country: and the Commander in Chief's health, and other occupations which he thinks his indiſpenſible duty, confining him to Madras, I am of opinion, that Colonel Stuart ſhould continue in the command of Vellour, where the greateſt part of his own regiment now is; and if ſuch an arrangement as above-mentioned ſhould take place, a principal part of our troops will be immediately under his eye.

" I join in wiſhes with the Commander in Chief to have Colonel Stuart's ſentiments upon the ſtate of the fort and country of Tanjour, with reſpect to their defence, as well as upon that of Trichinopoly, &c. I before expreſſed my deſire to have the the ſentiments of the Commander in Chief upon theſe ſubjects, had his health enabled him to make ſuch a journey; but I entirely diſapprove of the continuance of Colonel Stuart to the ſouthward, where, after the above ſervices are executed, he can be of no ſervice to the Company. I cannot therefore give my conſent to his appointment to the command of Tanjour, and the removal of Colonel Harper, who has behaved well and ſatisfactory both to the Rajah and myſelf."

Whoever pays attention to the proceedings in Council upon Colonel Stuart's letter, and to the letter itſelf; muſt, I think, be ſatisfied, that it was taken up by Sir Robert Fletcher and his adherents entirely from a ſpirit of party; ſince their arguments, ſuch as they are, go not to Colonel Stuart's being *Commandant* of *Tanjour*, whereby he would be confined to that place; but to the propriety of Colonel Stuart's *inſpecting all the Forts*, which Lord Pigot and his friends concurred in wiſhing might be done: and that Colonel Stuart's application was made to *Sir Robert Fletcher*, in hopes his endeavours in that channel would

would be more ſucceſsful than through Lord Pigot, from whom Colonel Stuart eſtranged himſelf entirely ſoon after his firſt fruitleſs attempt on Tanjour. But let us return to his brother's letter.

Mr. Andrew Stuart ſtates " the ſituation of affairs at Madraſs to be " reduced to the criſis of a conteſt, which almoſt unavoidably pro- " duces the neceſſity of reſorting to ſtrong and violent meaſures."

I deny that things were reduced to this *criſis*. There was a difference of opinion concerning the powers of the Preſident, who inſiſted, that the Council could no more act *without his concurrence*, than He *without* the *concurrence* of the majority of council: but he offered to engage never to make uſe of this negative, which he claimed, except in caſes of neceſſity, where the eſſential intereſts of the Company were at ſtake, if they would only admit it until the Company's pleaſure could be known: he urged that he was confirmed in the opinion, that the Preſident's concurrence was neceſſary to make an act of government from his own experience in Forty years ſervice, and from the Company's records, for almoſt a century; in which, not *one inſtance* could be brought againſt his pretenſion, though many teſtimonies are therein found to confirm it: he urged, that the preſent inſtance, Col. Stuart's immediately proceeding to Tanjour, was a matter wherein the intereſts of the Company were not materially affected; but that he would even concur in permitting Colonel Stuart to proceed immediately to Tanjour, if they would allow Mr. Ruſſel alſo to proceed thither agreeably to his nomination by the Preſident and Council, as reſident at Tanjour; a nomination *antecedent* to Colonel Stuart's appointment to the command of Tanjour, a nomination which had never been revoked: that the Company's affairs could not poſſibly receive any eſſential detriment by Mr. Ruſſell's proceeding to Tanjour; and that he would, even for peace, agree, that Mr. Ruſſell ſhould be recalled in a few days, if they thought proper then to recall him.

To

To this, what offer of conceſſion was made by the majority ?—— None. They peremptorily inſiſted that Colonel Stuart ſhould immediately proceed to Tanjour.—That Mr. Ruſſell ſhould not proceed thither, and that the Governor was bound to give his aſſent to every reſolution of the majority.

Lord Pigot was indeed reduced to a dilemma, as the majority were not to be ſatisfied with any thing leſs than *unconditional ſubmiſſion* of the Preſident to their reſolutions, whatever might be the nature or tendency of thoſe reſolutions.

On the 19th Auguſt, Sir Robert Fletcher ſent to the ſecretary, to be laid before the Board for their Conſideration, a paper of inſtructions to Colonel Stuart, which he preferred to others he had delivered ſome time before; Sir Robert did not himſelf attend Council that day :— Much altercation enſued, (Vol. 1. p. 356.) and the Council was adjourned.

On the 20th Auguſt the Council again met. Mr. Mackay, the youngeſt member, gave in a minute, intended to record his opinion " that the Board do now proceed to take into conſideration the in- " ſtructions to Colonel Stuart :" Mr. Jourdan, the next junior, ſubſcribed to Mr. Mackay's opinion. The Preſident then declared, " that " having determined not to give his conſent to Colonel Stuart's going " to Tanjour until Mr. Ruſſell ſhall be ordered to proceed thither " agreeable to his appointment, he will not allow the matter to be " now agitated at the Board."

Upon this I obſerved, " that I apprehended the Preſident miſun- " derſtood the matter; that Members of Council have a right to give " in minutes; and that what his Lordſhip had ſaid might be con- " ſtrued to prevent members giving their ſentiments on the records for " the information of the company."

Upon

Upon which the Preſident ſaid, " that now underſtanding it as mi- " nutes of the ſeveral members, he could have no objection to their " entering what they thought proper for the information of the Com- " pany."*

Mr. Stratton then requeſted that the queſtion ſhould be put, to take into conſideration the draught of inſtructions to Colonel Stuart. To which the Preſident declared, that for the reaſons he had before aſſigned, he would not put the queſtion *at that time*.

Mr. Palmer deſired it might be minuted, he was of the ſame opinion as Mr. Mackay.

Mr. Stone, the next junior to Mr. Palmer, was then aſked by Mr. Floyer, next junior to him, whether he ſhould be favoured with Mr. Stone's opinion on the queſtion; Mr. Stone obſerved, that there being no queſtion before the Board, every member had a right to give his ſentiments or not, as he thought proper, and therefore deemed it unneceſſary to give an opinion on the occaſion.

Mr. Floyer *offered it as his opinion*, that the draught of the inſtructions be now taken into conſideration.

Mr. Brooke declared himſelf of Mr. Mackay's opinion.

The opinions of Mr. Dalrymple and of Mr. Ruſſell, who were in rank between Mr. Floyer and Mr. Brooke, were not aſked or given.

* In the letter from Mr. Stratton, &c. to the Court of Directors, par. 141 and 142, they entirely omit the obſervation made by me, and the Preſident's declaration in conſequence: ſo that by their repreſentation it is implied, that Lord Pigot wanted to debar them from informing the Company with their ſentiments.

Mr. Stratton gave his opinion, that the Inſtructions to Colonel Stuart ſhould now paſs, and be ſent to Colonel Stuart.

Mr. Mackay declared his approbation of the inſtructions. Mr. Jourdan, Mr. Palmer, Mr. Floyer, and Mr. Brooke, expreſſed the ſame approbation. Mr. Stratton declared that he had already approved of them.

Mr. Stratton referred to the ſtanding orders to prove the majority was the government. And Mr. Dalrymple gave in a minute to refute that poſition. (Volume 1. p. 363.)

However, Mr. Mackay then gave in a minute in theſe words. "The majority of the Board having approved of the inſtructions "for Colonel Stuart, *I am of opinion*, that the ſecretary ſhould "have them wrote fair, and a letter be prepared to Colonel Har-"per to deliver up the command of Tanjour to Colonel Stuart."

Mr. Jourdan and Mr. Palmer declared they thought the letters would be written of courſe.

Mr. Floyer, Mr. Brooke, and Mr. Stratton, declared themſelves of Mr. Mackay's opinion.

The inſtructions to Colonel Stuart, and a letter to Colonel Harper, being wrote fair, "The Preſident declares, that conformably "to what he has before ſaid, he will not put his name to them; "that having made uſe of every argument in his power to diſ-"ſuade the majority of the Council from attempting to carry this "meaſure into execution without his concurrence, ſo he thinks "it his duty to the Company, his friendſhip to the different mem-"bers, and to the good order and government of the ſettlement, to de-"ſire

"ſire that they do not proceed further herein"; and to declare it as his "opinion, that without his name to thoſe orders they are not the act "of Government; and men executing ſuch orders may be liable to "difficulties, which he wiſhed the different members to be as ſenſible "of as himſelf."

This temperate minute had ſo far effect as to produce a deſire that the Council might be adjourned for two days.

On the 22d Auguſt the Council accordingly met again; Sir Robert Fletcher had not attended Council for ſome days: The other members of the majority gave in a minute, declaring the Preſident's conduct, in refuſing his name to the reſolutions of the majority, to be unconſtitutional and illegal, and that he was, as much as any other member, bound to aſſiſt in carrying into execution the orders of the majority; but they did not think any ſpecifick references neceſſary to the *orders* of the *Company*, but confined themſelves to declarations from themſelves, which, in a conteſted point, could be of no authority. They concluded their minute with declaring it to be their *opinion*, "That in caſe of the Preſident's refuſing to put a queſtion, "*propoſed by any member*, it *ſhall be* the duty of the Secretary to put "that queſtion, beginning firſt with the youngeſt member, and the "*duty* of *every member* of Council to anſwer ſuch queſtion; and that "a refuſal to anſwer *ſhall* be *deemed* a breach of the Company's "Standing Orders."

The obvious intention of this declaration was to wreak their vengeance on their opponents; and they had, by very ſignificant inuendos teſtified what I might expect; but having hinted in the former conſultation the plan they meant to adopt, *viz.* to direct the Secretary to iſſue the inſtructions to Col. Stuart, *by Order of Council*, we came prepared for the event.

As

As it is essentially necessary for the public to have before them a full and comprehensive State of the Constitution of the Company's Government at Fort St. George, it is proper, by every means the Records afford, to explain the nature of this Government, and the nature of the Authority with which Lord Pigot, as President and Governor, was invested; I flatter myself the public will forgive the prolixity unavoidable on the occasion, and the repetitions which a full Statement of the Case may require. I must intreat that they will form their Judgment without any regard to *post facto* Declarations, whether flowing from Party views or ignorance; for as an ingenious writer has justly observed, "Neither the Company's Orders, nor all the Powers "of Human Nature, nor Omnipotence itself, can make that *to have* "*been* the Constitution at any given period, which is now past, that "was not *then* the Constitution;" and I hope this will be admitted as a sufficient reason for my avoiding every discussion of the opinions given by the Governor-General and Council of Bengal, "to whom a "*superintending power* over *all* the *Company's settlements* in India, BOTH "in MATTERS CIVIL AND MILITARY,"* was NOT delegated by the authority

* Mr. A. Stuart's Letter, p. 35. To prevent all doubts on this head, the following is an extract of the Act itself, authorising the Governor-General and Council of *Bengal*, "to have Power of superintending and controuling the government and management of the Presidencies of Madrass, Bombay, and Bencoolen respectively, SO FAR and IN SO MUCH as that it shall NOT BE LAWFUL for any President and Council of Madrass, Bombay, or Bencoolen, for the Time being, to *make any Orders* for COMMENCING HOSTILITIES, or *declaring* or MAKING WAR, against any *Indian Princes* or Powers, or for *negotiating* or *concluding* any Treaty of Peace, or other Treaty, with any such Indian Princes or Powers, *without the Consent* and *Approbation* of the said Governor-General and Council first had and obtained, EXCEPT in *such* CASES of *imminent* NECESSITY as would render it *dangerous* to *postpone* such *Hostilities* or *Treaties* until the Orders from the Governor-General and Council might arrive; and EXCEPT in SUCH CASES where the said Presidents and Councils respectively *shall have received* SPECIAL ORDERS from the said United Company; and any President

authority of Parliament; the superintending and controuling power over the other settlements being expressly confined to *making peace* and *commencing hostilities* with Indian powers, and even in those instances *with exception* to cases of necessity, or where the *Company's special orders* were given. The impartial world have now before them *all the public documents* which the Governor-General and Council of *Bengal* had, and are therefore competent to decide, without the assistance of men who had *fomented*, if they had not *raised*, those dissensions in the Council at Madrass.

The Proprietors of East India Stock on the 28th of February, 1775, recommended to The Court of Directors to appoint Lord Pigot to be President of the Council, and Governor of Fort St. George.

sident and Council of Madrass, Bombay, or Bencoolen, WHO SHALL OFFEND IN ANY OF THE CASES AFORESAID, shall be liable to be suspended from his or their Office by the Order of the said Governor-General and Council; and every President and Council of Madrass, Bombay, and Bencoolen, for the Time being, shall, and they are hereby respectively directed and required, to pay due obedience to *such Orders* as *they shall receive*, TOUCHING THE PREMISES, from the said Governor-General and Council for the Time being, and constantly and diligently to transmit to the said Governor-General and Council Advice and Intelligence of all Transactions and Matters whatsoever, that shall come to their Knowledge, relating to the Government, Revenues, or Interest, of the said United Company."

This is the ONLY part of the Act of Parliament in any measure relative to the subject; and the epithet *Supreme Council*, which I believe was of Mr. Capper's coinage, is not once to be found in the Act. It is equally impossible as unnecessary to adduce further proof that the *Governor-General* and *Council* of *Bengal* had NO *superintending* or *controuling* power, concerning the subject in dispute at Madrass: though another writer on the part of Mr. Stratton, &c. hath, with their usual effrontery, said, this "supreme controul extends to every instance where the interest of the Company, or the peace and tranquility of their settlements are any "way concerned." To answer men who will assert any thing is an arduous task.

On the 1st of March, 1775, Lord Pigot was accordingly appointed by the Court of Directors.

The Commission of Government to Lord Pigot was dated the 11th April, 1775; and to this Commission the Company's Seal was affixed.

Lord Pigot, as Governor, to continue in the *exercise* of his office till removed by the Court of Directors.

This Commission constituted Lord Pigot, immediately on his arrival at Fort St. George, and publication of the Commission, "to be "*President* and *Governor* of and for *all the* Company's affairs on the "Coast of Choromandel, &c. and of *all the territories* thereunto be"longing, and of *all* and singular the *Forts*, *Factories*, and Settle"ments, *territories*, *Countries* and *Jurisdictions* thereof; and to exe"cute all and every the powers and authorities thereunto appertain"ing, by order and direction of the Court of Directors of the said "United Company for the time being, and TO CONTINUE IN THE "EXERCISE of the same DURING OUR AND THEIR PLEASURE, and "UNTIL the CONTRARY thereof SHALL BE SIGNIFIED UNDER the SEAL "of the *said* UNITED COMPANY of Merchants of England trading "to the East-Indies, or under the HANDS of THIRTEEN or MORE of "the COURT OF DIRECTORS of the said Company for the time being."

Council appointed, the *better* to *enable* Lord Pigot to manage the Company's affairs.

And to the end that the said Lord Pigot might *be better enabled* to ORDER * and *manage* all the Company's Affairs, The Company constituted certain persons to be of their Council of Fort St. George; for GOVERNING and *managing all* the Company's Affairs on the Coast of Choromandel, &c. and *governing* the said Fort Saint George, and City of Madras-Patnam, and all other Forts, Factories, and Settlements, within any of the said territories, viz.

* These words, ORDER and *manage*, applied to the President, compared with GOVERN and *manage*, applied to the President and Council, seem clearly to determine that the ORDER of proceedings rests with the President ALONE, but the authority of *governing* with the President and Council.

George

George Stratton	2d.	
Joseph Smith	3d.	fixed not to rise to a superior rank therein.
George Dawson	4th.	
Henry Brooke	5th.	
John Whitehill	6th.	
Claud Russell	7th.	
Charles Smith	8th.	
Alex. Dalrymple	9th.	
Samuel Johnson	10th.	
Charles Floyer	11th.	
John Maxwell Stone	12th.	
Archdale Palmer	13th.	
James Hay	14th.	
Edward Stracey	15th.	
Edward Cotsford	16th.	
Richard Lathom	17th.	
Francis Jourdan	18th.	
George Mackay	19th.	not to rise to a higher rank

"Granting unto our *said President* and *Governor*, George *Lord* "*Pigot* and to our Council *aforenamed*, or the major part of them, "[*i. e.* of those persons *beforenamed*] (the whole Council, except such "who are absent as Chiefs of subordinate Factories, being duly sum"moned) *full power and authority*, from time to time, to *rule* and *govern* "all and every our factors and Servants under the said Presidency, and "all the *Soldiers* and *Inhabitants* of our said Fort St. George, and City "of Madras-Patnam, and *elsewhere*, within the places aforesaid; To "*do* and *perform* all *such Acts and Things*, and to *use* and *exercise* all "*such powers* and *authorities* as the *said President and Governor and his* "*Council*, in their several and respective places where the said United "Company *have* or *shall have* Factors or any places of trade are "authorized

" authorized to do; ſubject nevertheleſs to the *ſuperintending* and *con-*
" *trolling* power of the *Governor-General and Council of Fort William in*
" *Bengal*, IN SUCH CASES wherein they ARE AUTHORIZED TO HAVE a
" SUPERINTENDING and CONTROLLING POWER in and by an Act of
" Parliament paſſed in the 13th year of his preſent Majeſty's reign,
" intituled, "An Act for eſtabliſhing certain Regulations for the better
" Management of the Affairs of the Eaſt-India Company,
" as well in India as in Europe," alſo ſubject and accord-
" ing to ſuch inſtructions and directions as he the ſaid George Lord
" Pigot, our Preſident and Governor and Council aforeſaid, ſhall from
" time to time receive, under the hands of thirteen or more of the Court
" of Directors of the ſaid United Company for the time being."

Obedience ordered to Lord Pigot and HIS Council.

The Company " order and require all their Factors, Servants,
" Officers, and Soldiers, within the limits of the ſaid Preſidency,
" and all the People and Inhabitants of Fort St. George and City of
" Madras-Patnam, or of any other fort, place, or colony, within the
" ſaid Preſidency, to *conform*, *ſubmit*, and *yield due obedience* unto the
" ſaid *Lord Pigot*, *Preſident and Governor*, AND HIS *Council* ac-
" cordingly."

Lord Pigot's Commiſſion as Commander in Chief of the Troops in Garriſon.

Beſides THIS Commiſſion, Lord Pigot had a Special Commiſſion Under the Company's Seal, dated 4th April, 1775*, to be *Governor* and *Commander in Chief* of the FORT AND GARRISON of Fort St. George and Town of Madras-patnam, and of *all* the forces which then were, or hereafter ſhould be *employed* for the *Service* of the *Company* within the ſaid *Fort*, *Garriſon*, and Town. This commiſſion is in the following words.

* The Commiſſion of Government being of a later Date, was owing to a Ballot on the 6th of April, 312 to 17, for reſtoring Mr. Dalrymple, one of the Council, and on the 11th the Court of Directors accordingly appointed him in the Council.

The

The United Company of Merchants of England trading to the Eaſt-Indies,

To George Lord Pigot, Baron Pigot of Patſhul in the Kingdom of Ireland, Governor of the Preſidency of Fort St. George.

WE the ſaid United Company, repoſing eſpecial truſt and confidence in you George Lord Pigot, do by theſe preſents conſtitute and appoint you to be our *Governor* and *Commander in Chief* of our fort and garriſon of Fort St. George, and town of Madraſpatnam, and of *all the forces*, which *now are* or *hereafter ſhall be employed for the ſervice* of the ſaid United Company *within* the *ſaid fort*, *garriſon* and *town*; and you are to the utmoſt of your ſkill and power to do and perform all ſuch offices and ſervices, as appertain to the poſt of Governor and *Commander in Chief* as aforeſaid, and to continue in the exerciſe of the ſame *during our pleaſure*; ſubject nevertheleſs to all ſuch rules, orders, and inſtructions, as have heretofore been given to the Preſident and Council of Fort St. George aforeſaid, and are now in force, and alſo ſuch others as you ſhall at any time hereafter receive in writing from the Court of Directors of the ſaid United Company, or under the hands of thirteen or more of them. And we do hereby ſtrictly *require*, *charge*, and *command all commiſſion officers*, *non-commiſſion officers*, *ſoldiers* and *others belonging to our military forces*, and *all* the *people* and *inhabitants* EMPLOYED OR RESIDING in our ſaid fort, garriſon and town, to yield you as *Governor* and COMMANDER in CHIEF as aforeſaid, due obedience accordingly. Given under our common ſeal this fourth day of April, in the fifteenth year of the reign of our Sovereign Lord George the Third, by the grace of God of Great-Britain, France and

 Ireland,

Ireland, King, Defender of the Faith, and ſo forth, and in the year of our Lord one thouſand ſeven hundred and ſeventy-five.

L. S.

By Order of the Court of Directors of the ſaid United Company.

P. MICHELL, Secretary.*

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* The following is a copy of the commiſſion granted by the Court of Directors to Col. Stuart on the 15th of November 1775.

The United Company of Merchants of England trading to the Eaſt-Indies,

To James Stuart, Eſquire, Greeting.

WE the ſaid United Company, repoſing eſpecial truſt and confidence in you, do by theſe preſents conſtitute and appoint you to be Colonel of Foot in our ſervice, at our Preſidency of Fort St. George in the Eaſt-Indies; and do give and grant you full power and authority to take your rank and poſt as Colonel of Foot, next to and immediately after Sir Robert Fletcher, Knight, Colonel of Foot in our ſervice at our ſaid Preſidency. You are therefore faithfully, diligently and carefully to diſcharge the duty thereof, by exerciſing and well diſciplining the inferior officers and ſoldiers, who may from time to time be put under your command. And we do hereby charge and command them to obey you as Colonel of Foot; and you are at all times to obſerve and follow all ſuch orders and directions as you ſhall receive from us, *our Preſident and Council of Fort Saint George*, aforeſaid, or any other your ſuperior officer, according to the rules and diſcipline of war, in purſuance of the truſt hereby repoſed in you; or failing therein, our ſaid Preſident and Council are empowered by us to vacate and annul theſe preſents. Given under our common ſeal this fifteenth day of November, in the ſixteenth year of the reign of our Sovereign Lord George the Third, by the grace of God of Great Britain, France and Ireland, King, Defender of the Faith, and ſo forth, and in the year of our Lord one thouſand ſeven hundred and ſeventy-five.

L. S.

By Order of the Court of Directors of the ſaid United Company.

(Signed) P. MICHELL, Secretary.

And

By the Company's Commiſſion of 11th April, before recited, it appears, The *Council* is appointed the *better* to *enable*

And ſo far from Col. Stuart being appointed *ſecond* in *command* of all the Company's forces upon the Coaſt of Choromandel, as Mr. Andrew Stuart repreſents, p. 3. Brigadier General Joſeph Smith's *voluntary* reſignation of the office of Military Commander in Chief, having happened *not a month* before Col. Stuart's commiſſion is dated, could not poſſibly be then known in England; Colonel Stuart was only appointed a *Colonel*, next to Sir Robert Fletcher, who was not at that time ſuppoſed to be *Brigadier General and Commander in Chief*, but only himſelf A COLONEL. What Mr. Andrew Stuart ſays about *agreements* and *appointments* muſt therefore be erroneous: Colonel Stuart was to ſucceed Sir Robert Fletcher, as Sir Robert was to ſucceed General Joſeph Smith, but the Company entered into no *particular agreements* with Colonel Stuart; every officer is entitled to expect promotion if he behaves properly; but the word *agreement* carries the idea of a bargain and *engagement* on the part of the Company. Colonel Stuart's *unremitting aſſiduity* it is well known obtained him his appointment in the Company's ſervice; notwithſtanding the following reſolution of a General Court of India Proprietors.

On 1ſt February, 1774, on a ballot, 347 to 192, the Court of Director's appointment of Colonel Stuart to the command of the Company's troops at Bombay was reſcinded.

The General Court on 7th February reſolved, "That it be recommended to "the Court of Directors to make ſome other ſuitable proviſion for Colonel Stuart "in the ſervice of the Company, when a convenient opportunity ſhall offer, *ſo* "*that ſuch proviſion* ſhall not UNJUSTLY ſuperſede any officer or ſervant."

This reſolution was never revoked; but I ſuppoſe Colonel Stuart was appointed a *Colonel* on the Madraſs eſtabliſhment, by which he SUPERSEDED *many officers*, by a quibbling conſtruction of the word UNJUSTLY. If ſuch a *ſocial compact* had ſubſiſted between the Company and their officers, as Mr. Andrew Stuart ſuppoſes to have been entered into with his brother; that brother could not have received his commiſſion as a *Colonel*. And here I cannot refrain mentioning an anecdote of what happened the very day of this Reſolution.—One of the principal Directors having come out of the General Court, and ſtanding by the fire-ſide in the next room, expreſſed his diſſatisfaction at Colonel Stuart's being thrown back upon the Directors, and the difficulty they were thereby brought into, I took notice, that I thought

Governments in India similar to our Government at home; not *republican*, but *mixed*.

the *Governor* to *manage* the affairs of the Company, and therefore that The Members of *Council* were neither by the *letter* nor

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thought very differently, for that the reſolution precluded Colonel Stuart from any ſtation in the Company's Service in India on the preſent eſtabliſhment, and if he made an application, there was nothing requiſite but to refer him to the reſolution. This Director replied, "Yes, Mr. Dalrymple, that would do with you, but "it wo'nt do with Col. Stuart; ever ſince the election in April, I have had a viſit, "at leaſt twice a week, and letters innumerable."

The following paper is ſubſcribed by all officers at the India Houſe before they go to India.

"The particular circumſtances the ſeveral officers appointed by the Court of Directors are to be acquainted with before they take their oaths.

"That all ſuch as are or have been in His Majeſty's ſervice are to take rank of one another, in their arrangement here, according to the date of their reſpective commiſſions; that is to ſay, the Lieutenant-Colonels are to rank with each other of the ſame claſs, as Lieutenant-Colonels; the Majors in like manner as Majors; the Captains in like manner as Captains; the Lieutenants in like manner as Lieutenants; that on their arrival in India they are to rank next to the loweſt of the ſame claſs there, in the order they are named from here, viz. the firſt perſon of each claſs upon the liſt here is to rank under the laſt officer of the Company's of the ſame denomination who ſhall be in commiſſion on their arrival in India; that it is to be obſerved however, that ſuch officers belonging to the Company who have leave to return in their ſervice, are to take rank agreeable to the laſt commiſſions given to them in India, in the ſame manner as if they had continued there. All the ſaid officers to be further informed, *they are not only to obey* their *ſuperior officers*, according to the rules and diſcipline of war, but *that they are to be entirely ſubject* to the *orders* of the GOVERNOR AND COUNCIL at each Preſidency, WHO are the Company's LEGAL *Repreſentatives*, as likewiſe to ſuch orders they may receive from any of the Company's Civil ſervants at their ſeveral ſubordinate ſettlements, to whom the *Governor and Council* ſhall think fit to delegate ſuch authority. To inform them likewiſe, as *they* are *entirely ſubject* to the *authority* of the *Company's Civil Repreſentatives*, ſo the GOVERNOR and COUNCIL, upon the miſbehaviour

nor *ſpirit* of that Commiſſion *intended* to *manage* the Company's Affairs *without* the *Governor*. Indeed the Conſtitution of the Governments in India bear a great reſemblance to our Government at *home*: a *Council* is eſtabliſhed to *adviſe*, and at the ſame time to be a *cheque* upon the Governor; ſo that without the concurrence of a Majority with Him, *his* Acts are not valid; and he, on the other hand, is a cheque upon them by his Negative: but if the Governor's Negative is taken away, the Balance of Government between Preſident and Council is deſtroyed: the Government reſts totally on the Majority of Council, and the title of *Governor* is wholly *inſignificant*: He becomes reduced to a ſimple Member of the Council. Such *never* was the Conſtitution of the India Government, if we may rely on the Judgement of thoſe great Lawyers, the preſent Lord High Chancellor, and Mr. Dunning *.

The only allegations that have been induced from the Company's Records to ſhew that the *efficient power* is *veſted* in the

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miſbehaviour of any officer, *may*, *whenever they think fit*, TAKE AWAY SUCH OFFICER'S COMMISSION without *bringing him before a Court Martial*, according to the general practice of the ſervice.

We, whoſe names are hereunto ſubſcribed, have read and agree to ſerve according to the above regulations.

Signed, amongſt others, JAMES STUART."

* "We are of opinion, that by the conſtitution of this body, [the "Government of Fort William] as it ſtood before the late Act of Par- "liament [when it was the ſame as that of Fort St. George] The *Pre- "ſident* and *Governor* was an *integral* and *eſſential part* of it, without whom "no Council could be legally holden, and on whoſe departure, therefore, "it was of courſe diſſolved, unleſs where he appoints a Delegate."

Majority

Majority WITHOUT the *Preſident*, are by forced conſtructions or partial quotations of *Old Standing Orders*.

Here it will be neceſſary to explain what is meant by *Standing Orders*: The *Standing Orders*, as they are called, are *Extracts* from the *Company's Letters*, not *digeſted* into a *Conſtitution*, but *Copies* of the *Paragraphs* of the *Letters* entered into a book from time to time: The firſt compilation of this kind was made about the latter end of the laſt century from the Company's Letters to Fort St. George, antecedent to that period; another collection was made during the Government of George Morton Pitt, about forty years ago; ſince then additions have been made, occaſionally, but not regularly, till the whole are now almoſt a chaos of Contradiction and Incertainty: Publick buſineſs cannot ſtop till all the Company's Letters are examined for half a century, to know whether They have given any directions on the ſubject: The rule, therefore, of Government muſt depend very much on *antient uſage*, of which Lord Pigot was a good judge, having been Deputy Secretary above Thirty years ago, and afterwards Governor of Fort St. George, almoſt for ten years.

The only orders which have been quoted as proof that the Authority is veſted in a *Majority without* the Preſident, are of 1678, and 1702; and therefore it may be fairly inferred, *no others* do *exiſt*. The Orders quoted, are,

"3d January, 1678. Whatever ſhall be agreed on by the "Majority, *ſhall be* eſteemed the Order by which each one is to "act: and accordingly every individual perſon, even the Diſſent-"ers themſelves, are to perform their parts in the proſecution "thereof; and, in ſo doing, they do their duty, and muſt not "be blamed for the event."

This

This is a partial quotation: the whole, as it ſtands in the book of *Standing Orders*, is,

"As to *your ſcruple* of *acting* any thing that ſhall be ORDERED in "*Council, by majority of votes*, we do confirm our former orders there-"in, and thoſe that *diſſent*, ſhould enter it, with the reaſons, for our full "information; but, notwithſtanding, whatever ſhall be agreed on by "the majority, *is to be* eſteemed the order by which each one is to "act; accordingly every individual perſon, even the Diſſenters them-"ſelves, are to perform their parts in proſecution thereof, and in ſo "doing they do their duty, and muſt not be blamed for the event."
This Order was in anſwer to doubts whether Members of Council who had *aſſented*, were to join with the Preſident and Majority, in carrying the *Reſolutions* of *Council* into *effect*: the change of "*is to be*," which, muſt obviouſly be conſidered as *merely explanatory!* into, "*ſhall be*," is an alteration ſcarcely to be ſuppoſed *accidental*; however, this order only explains a conſtitution already eſtabliſhed: No doubt had ariſen, *what* conſtituted an *order* of Council, and therefore the Company's Reply could not be conſtrued to change the Conſtitution of their Government. It extends only to *acting* any thing ORDERED in *Council*, when the Council were not *unanimous*.

The Court of Directors, 18th February 1690, eſtabliſhed the foll wing Standing Order; "when any of our Council *differ* in "*opinion* from our *Preſident*, make your objections in ſuch decent "manner, as is due to the *Perſon* whom we have entruſted with the "*chief* authority of that place."

At this period, there were great diſſentions in the Council of Fort St. George; the *whole Council* being in *oppoſition* to the *Governor*: In conſultation, 14th. October 1690, a letter to the Company was *paſt* in Council, although all the Members *preſent*, who ſign the conſultation,

ſultation, (except the Preſident) enter their *diſapprobation* of the letter. The Company (22d. January 169½ Par. 3.) call it a *general letter**, ſigned *only* by the *Preſident*, but "refuſed to be ſubſcribed by the *reſt* of the *Council*." They afterwards add, "We are very ſorry for the "differences that have been amongſt you; and although there may "have been too much heat and paſſion on both ſides, as there al-"ways is on ſuch caſes, yet we muſt do our Council ſo much right "as to ſay, They had reaſon to *ſeperate themſelves from the Preſident*, "and it was much wiſer, and more for our ſervice, that they did it "jointly *altogether*, than if they had divided themſelves into different "factions on both ſides."

This ſurely evinces, that the Company's Conſtitution of Government, was not then underſtood to veſt the authority in a *Majority*, without the *Preſident's concurrence:* The *Council*, although they refuſed to ſign the General Letter to England, did not ſeperate themſelves from the Governor in all caſes, but attended their duty in Council and tranſacted the ordinary buſineſs; the records of that year afford frequent inſtances of the *Majority* differing from the Governor, but none, where the Opinion of that Majority was conſidered as the *Reſolution* of the *Board*, until it had the Preſident's concurrence.

In conſultation, the 19th Auguſt, I entered a minute† in which I quoted this letter of the Company, ſo that it was well known to all the Members of Council, and in all conteſted points concerning the Power of Government, the only mode of determining, is, by the example of former times.

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* General Letter is the term for *Publick Letter* to or from the Governments in India.

† Vol. 1. p. 364.

The

The ſtanding order of 1678, above recited, is the only authority Thoſe perſons, who deprived Lord Pigot of his Government, thought proper to *publiſh* in vindication of their proceedings; they dropped the other of 1702, which they had quoted in Council, viz.

"9th. March 1702. We do ſtrictly enjoin, that all our affairs be "tranſacted in Council, and ordered and managed as the Majority of "Council ſhall determine, and not otherwiſe, upon any pretence what-"ſoever, &c."

They omitted the *firſt part*, which declared the occaſion of this order, and the laſt part they expreſſed by a convenient, &c. The whole of the order runs thus,

9th. March 1702. "This goes by the Taviſtock, and being now "upon *a new Foundation* and Eſtabliſhment, it will be expected that "We give particular directions for the management of our *new* "*Affairs:* Wherefore, in the firſt place, having heard of ſome *irregu-*"*larities* in ſome of the factories of *either* Company, We do ſtrictly "enjoin, that *all our* affairs be tranſacted in Council, and ordered "and managed as the Majority of Council ſhall determine, and not "otherwiſe, upon any pretence whatſoever; and though we hope "You'll all be unanimous in the purſuit of our *common intereſt*, yet "if on any occaſion it happens that your votes are equally divided, "the ſame muſt be determined by *Lot*, as We by our Charter are "directed in ſuch caſes to do." *

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* No ſuch letter was to be found in the Records at Madraſs, (Vide Vol. 1. page 36.) it was therefore inferred to be private Inſtructions from the Managers of one Company to their Servants, how to conduct themſelves in tranſactions with the Servants of the other: And it was alſo inferred, that there muſt have been *two Preſidents*; but by the Records at the India Houſe, it appears this letter was from the *Court of Managers*, directed to the Servants of both Company's, and that Thomas

This Order is clearly as inapplicable as the former; it was the *Temporary Act* of a *Temporary Government*, not the *Court of Directors* but the *Court* of *Managers*, AUTHORISED, under the Indenture Tripartite between the Queen and the two Companies, EXPRESSLY TO MAKE REGULATIONS DURING THE SEVEN YEARS, allotted for *perfecting* the *Union* between the Old and New Companies. The order, we see, was calculated, was expreſsly declared to be calculated, for that temporary foundation and eſtabliſhment. It is not pretended, that the mode of deciſion preſcribed in caſe of an equal diviſion, was adopted as a ſtanding rule. It cannot therefore be applied as expreſſive of the preſent rule of government. Nor is the general direction any thing more than a direction, not to tranſact the affairs of the Company out of Council, nor without the conſent of a Majority of the Council. That is, it reſerves its *negative* power to a Majority of the Council. But it does not take away his negative power from the Preſident.

But, admitting theſe orders in the fulleſt extent of the forced conſtruction put upon them, NO CONSTRUCTION of an *antecedent order* can be made to *contradict* and *ſet aſide* the POSITIVE INJUNCTION of a SUBSEQUENT Order.

The firſt Commiſſion of Government, after the perfect union of the two Company's, is to Governor Harriſon, under date 22d. December 1710; it is conformable to the earlieſt Commiſſion (which is to be found amongſt the Records) from the Company to the Governors of Fort St. George. In this Commiſſion, The Company,

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Pitt, the Old Company's Governor of Fort St. George, was the *only Preſident* there, John Pitt, the New Company's *Preſident*, being appointed *Deputy Governor* of Fort St. David, ſo that the *two Preſidents* were not both preſent.

" Give

" Give and grant, full power and authority, to rule and govern, " unto the ſaid Preſident and Governor, and to the Council *afore-* " *named*, or the major part of them, WHEREOF the ſaid PRESIDENT, " to be always ONE."

Theſe Words, WHEREOF the ſaid PRESIDENT to be always ONE, are preſerved in the recent Commiſſions to the Governor of Bombay, but were firſt omitted in the Commiſſion to Francis Haſtings, as Governor of Fort St. George, under date, 19th December 1719. However the Court of Directors, in their letter of that date order, " that Mr. Collet do ſurrender the Govern- " ment to his ſaid Succeſſor, Mr. Haſtings, immediately upon " his arrival, that the *Preſident* Mr. Haſtings, with the reſt of the " Fort St. George Council, take upon them the management of the " Company's Affairs, *according* to the USUAL CUSTOM, and OUR " STANDING RULES," which demonſtrates, that the Omiſſion of thoſe Words, WHEREOF our ſaid PRESIDENT to be always ONE, was not meant to convey any Change in the Conſtitution. And the Commiſſion of Government to Lord Pigot, does more than imply the ſame Authority to be continued in the Government; the Form of his Commiſſion being, in that Reſpect, the ſame as Mr. Haſtings's Commiſſion, 1719.*

In the Company's letter, by the Grenville, dated 12th April 1775, removing Governor Wynch. The Court of Directors ſay, (par. 60) " And as the *concurrence* of the Members of our Council,

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* It is remarkable that this letter, accompanying Mr. Haſting's commiſſion, is the only inſtance I can find where the Court of Directors ſay more, than that they have given a *Commiſſion* to ſuch a perſon as Governor; perhaps the paragraph in the letter was inſerted to ſave the trouble of copying the Commiſſion after the omiſſion was diſcovered.

" in

" in the breach of our Orders, renders them very undeſerving of " our favour; we ſhould have proceeded to the like extremities " with them, had we not been willing to hope that their future " conduct may in ſome degree atone, &c.

The *Concurrence* of the members of Council ſurely implies, that the authority of the *Preſident* is ſuperior to a *mere Member* of Council, and without the *Negative* power in what is his authority ſuperiour? Theſe Sentiments are ſtill more ſtrongly confirmed by the ſeperate letter from the Court of Directors of the ſame date, (par 3.) " We are convinced that ſucceſs muſt in a great meaſure depend upon " the wiſdom of your Councils, the integrity and firmneſs of your " Conduct and in no ſmall degree upon the *ſeaſonable exertion* of theſe " *peculiar abilities*, for which your Right Honourable Preſident is ſo " juſtly and eminently diſtinguiſhed." And again in (Par 34.) They direct, in Caſe of Lord Pigot being prevented by death or otherwiſe from taking upon himſelf the Government and thereby from executing their orders and inſtructions relative to Tanjour, that " in ſuch caſe " the eldeſt Counſellor for the time being do *take upon himſelf* the " *adminiſtration* of *our affairs*, as *Preſident* of our Council, 'till our " pleaſure ſhall be known; and that you fail not, under the above " circumſtances, to *concur* with *ſuch Preſident* in carrying our ſaid " orders and inſtructions immediately into execution."

If *taking* upon *himſelf* the *adminiſtration* of the Company's Affairs, can be conſtrued to mean ſimply having a *Vote*, the Company's directions would be highly ridiculous, for the ſenior Member of Council *muſt* have had *that of courſe*; and if no deference was due to Lord Pigot's Opinion in Council over any other Member, in what manner was it poſſible for Lord Pigot to make a *ſeaſonable exertion* of his *peculiar abilities:* and the repeated inſtances where the Court of Directors have removed the *Governor* SINGLY, teſtify in the cleareſt manner, that the *Governor* was conſidered to be *peculiarly reſponſible*.

It has been alledged that the *powers contended* for by *Lord Pigot*, are neither *known* in the *conſtitution* of the *Company*, nor *authoriſed* by *Charter*, nor warranted by any Orders or Inſtructions of the Court of Directors.

It muſt be obvious to demonſtration, that Lord Pigot's claim to a *negative* was *known* in the Company's *Conſtitution*, and *was* warranted by the Orders and Inſtructions of the Court of Directors from the earlieſt times, to the very letter which Lord Pigot carried with him to Fort St. George: It only remains to examine whether *the power* was not *authorized* by *Charter*. The 1ſt. Charter in which mention is made of the *Council*, is the Charter of Juſtice, 24th September 1726, but this Charter, as well as that of 8th January 1753, poſitively and expreſsly ſays, in almoſt every inſtance where the *authority* of the *Governor* and *Council*, or *Major Part* of *them*, is recognized, that the *Governor* ſhall always be *one*.

In the Charter of Juſtice, of 8th January 1753, the *Inſtances* where the Govenor or Council are referred to, are *ſeventeen*,

Nine, The *moſt important*, prove that the voice of the *majority* of the *Council* is of no effect *without* the *concurrence* of the *preſident*, or in his abſence of the *Senior* of the Council then reſident (who is Locum-tenens)

In three, The adminiſtration of oaths, in the moſt important caſes, is to be the act of the *Preſident alone*, or in his abſence of the *two Senior* of the Council then reſident.

In one, It is to be the act of the Preſident *alone*, or in his abſence of *any two* of the Council.

In *one* other, it is to be the act of the Preſident *alone*.

One, The 15th. authoriſes the caſting vote on an equality of voices.

In the *two* laſt only, which are clearly the leaſt important, an authority is given to the *majority*, without particularly expreſſing the *Preſident* being *one*.

So far therefore are the *powers* contended for by Lord Pigot NOT *authorized* by *Charter*, that they are *expreſsly* and *poſitively* given by charter, in almoſt every inſtance where that charter has any reference to the Preſident and Council,

Thus from the charter of Juſtice, from the Precedent of ancient times, without one inſtance to the contrary, and from the recent orders of the Company, Lord Pigot was confirmed in his opinion, that his commiſſion conveyed to him this *negative power*. The *Council* are called *his* Council; they are appointed "*to the end* that *He* may be "better enabled to order and manage *all* the affairs of the Company." The power and authority to rule and govern all the factors, &c. are granted to him *and his* Council *aforenamed*, or the major part of "*them*, (i. e. of thoſe perſons *beforenamed:*) all except the Chiefs of "ſubordinate factories being duly ſummoned. To HIM *and his* Coun-"cil, all the factors, ſervants, *officers* and *ſoldiers* are commanded to "conform, ſubmit, and yield due obedience." It could ſcarcely, one would think, be poſſible to ſuppoſe "Him *and his* Council" could "mean *Him or a Council without him:*" or to put any other conſtruction on *Him and his Council aforenamed,* or the major part of them:* than *Him*

* One author in this diſpute, who pretends to write a *fair ſtate* of the *Caſe*, quotes the Commiſſion as delegating the power of government to the *Preſident* and *Council* AFORESAID, or the *major part of them*. This would indeed be a direct contradiction to the powers claimed by Lord Pigot; but the word AFORESAID happens not to be in the Commiſſion.

Him and his Council named in the Commiſſion, *or Him and the major part of his Council* ſo named." Becauſe to conſtrue the words otherwiſe, would be to ſuppoſe his concurrence neceſſary to give validity to an act of the *whole* Council; and unneceſſary to give that validity to an act of a *part only* of the Council.

Beſides what has been already ſaid, another ſtanding order is proper to be attended to, "15th December 1676, *ſtanding order* fol. 19. "If a *charge* be againſt *any* of the *Council* at the Fort, in *all ſuch caſes*, "during the examination. The PARTY CONCERNED NOT TO SIT "IN COUNCIL; but if *any charge* be *againſt* the *Agent* (as the Preſident or Governor was then ſtiled) "that it be exhibited alſo to the "Council, and *examined*, and copy thereof ſent us, with the whole "proceedings thereupon, *that we may give you neceſſary orders therein.*" This ſtanding order was produced, to prove that a Preſident was not liable even to the *cenſure* of the Council; this happened but a few days before Lord Pigot was deprived of his Government, in open violation of this ſtanding order, as well as of the Commiſſion of Government which declared that he was removeable only by the Court of Directors.

Having ſtated the nature of the authority with which Lord Pigot was inveſted as the records at Madraſs defined them, it would be quite foreign to the purpoſe to recite what *orders* the Court of Directors have given to any other ſettlement; becauſe orders directed to *one* ſettlement carry *no* authority *in another*;* If the *Company's orders* to *one*

* A Letter from the Court of Directors to Bengal dated 31ſt of Jan. 1776, per Lioneſs, has been quoted as concluſive againſt Lord Pigot, a Copy of this Letter did not reach Madraſs till long after Lord Pigot's Impriſonment. Nothing could be more *unjuſt* than to condemn Lord Pigot for not conforming to the words of a paragraph which *he had never ſeen:* The Letter is not directly to the point, but if it had, was of no authority at Madraſs; the two Governments were diſtinct in their Conſtitutions,

one settlement have *no authority* in *another*, can the *verbal reports* of any perſon concerning what paſſed in Council at ſuch *other* ſettlement be of authority? and indeed in that inſtance, on examination of the Records it is found, they are entirely different from the *Verbal Report*, having not the ſmalleſt relation to the *diſtinct authorities* of the *Preſident*, and of the *Majority* of the *Council*, but condemn the Preſident and part of his Council, merely for *diſobeying* the *poſitive Orders* of the Company.

And having now amply ſtated the Nature of the Company's Conſtitution, and the purport of their Orders, the Public, I flatter myſelf, will be convinced that The *concurrence* of the Preſident was neceſſary to conſtitute an *Order* of *Council*, or an *Act* of *Government*; and therefore that Lord Pigot who, by his Commiſſion from the Company, could not be removed from his Office of Governor but by the Court of Directors, was *engaged* by EVERY *law* WHICH OUGHT TO BIND A SERVANT WHO HAS SWORN FIDELITY TO THE COMPANY * to ſupport and maintain the Conſtitution of that Government entruſted to his *particular management*, againſt what appeared to him ſubverſive of the authority eſtabliſhed by the Company, and ruinous to their intereſt.

It

tutions, and the natural inference is, that, if the Company had thought proper to eſtabliſh any new regulation at Madraſs, they would not have been entirely ſilent on the ſubject in their *Letter* to *Madraſs* by *that very ſhip* At the ſame time it muſt be obſerved, that orders given on a particular event, where, on the firſt impulſe, the impropriety appears flagrant, ſhall convey much more than would have been ſaid had all circumſtances been maturely conſidered: It is reported the letter by the Lioneſs, giving to the *Majority* of the Council in BENGAL the authority of *adjournment*, aroſe from a PRECIPITATE ADJOURNMENT of the Council by the Governor-General, *when ſomething was introduced* that *ſeemed* to *lead* to *a charge againſt himſelf* or *friends*.

* Vide the accuſation of the conſpirators, where they allege Lord Pigot had *violated* every *law*, &c.

It may not be amiſs alſo briefly to ſtate a few circumſtances, which may naturally be ſuppoſed to have urged Lord Pigot to refuſe to aſſent to the opinion of the majority of Council concerning Colonel Stuart's proceeding to Tanjour.

Circumſtances which probably urged Lord Pigot to oppoſe Colonel Stuart's proceeding to Tanjour.

When Colonel Stuart arrived at Madraſs he declared to me he was determined to conform himſelf in every thing to Lord Pigot's wiſhes; that he would not even take a Dubaſh without Lord Pigot's recommendation, as he was given to underſtand this was a matter of conſequence: he ſaid Sir Robert Fletcher was too fond of his pen; that he thought a ſoldier had nothing to do with writing; that for his own part He ſhould not write ſix lines * whilſt he was in India. He begged that if ever I ſaw him doing amiſs, I would point it out to him.

After the conſultation, wherein he was appointed to the command of Vellour, he ſaid he wiſhed he had ſpoke to me before *his baniſhment*; I aſked what he meant *by baniſhment?* he anſwered, *being ſtationed* at *Vellour*; I replied, I could not ſee how he could conſider it as a baniſhment, ſince the greateſt part of his regiment was quartered there.

Some days after, at the Company's garden-houſe, he told me he had applied to the Governor to have a communication made to him of all the records concerning Hyder Ally, ſubſequent to thoſe he had already got from the India-Houſe: he having ſhewn me, at our firſt meeting, a copy of the Company's general letter to the Preſident and Council, by the Grenville, which he told me he had brought with him from England.

He intimated, that Lord Pigot had no objection to communicating the records to him, and begged me to remind his lordſhip; I told him very frankly, that if it was propoſed in council, I ſhould object to it, as

* Or ſome ſuch expreſſion; I do not pretend to give the very words, though I believe they are nearly ſo.

 I thought

I thought a military officer ſhould confine himſelf to his military duty, and that he had nothing to do with political affairs; he ſaid he knew what an officer's duty was very well, and this ended the converſation.— He very ſoon perceived that I was not the channel to promote any of his ſchemes that were not warranted by their propriety; and finding his application, through Lord Pigot, for the command of Tanjour, had not been ſucceſsful, he thereupon eſtranged himſelf from his Lordſhip, and attached himſelf to Sir Robert Fletcher, and the party in council, whom Mr. Benfield's *Tankas*, or private claims on the Tanjour country, had *linked together*.

Colonel Stuart was reported to have undertaken the management of Mr. Benfield's concerns in the Tanjour country, and to intend carrying with him a relation of Comera, Mr. Benfield's Dubaſh, to whom the Rajah aſcribed all his misfortunes: and whether theſe reports were true or falſe, they muſt have been very alarming to the Rajah.

Colonel Stuart was appointed to the command at Tanjour, in *oppoſition* to the *Rajah's requeſt*, entered on the minutes of council, "that "Colonel Harper might be continued in the command." Which *requeſt* alone was ſufficient reaſon not to remove an unexceptionable officer, who was particularly attentive to the religious prejudices of the natives, having obtained ſignal marks of their reſpect, in conſequence of his reſtoring ſome idols which had been plundered from their Pagodas or Temples.

The ſtrenuous endeavours of the Nabob to prevent Mr. Ruſſell's appointment as reſident at Tanjour, the great pecuniary offers he made to Mr. Dawſon, *only to abſent himſelf from Council*, that this appointment might not take place; the poſitive objection made by Lord Pigot's opponents in council, to Mr. Ruſſell's proceeding to Tanjour, after he was appointed Reſident, could not but be ſtrong arguments for Lord Pigot to inſiſt that he ſhould proceed thither agreeable to that appointment,

pointment, ſince the majority's carrying that queſtion was ſacrificing all the Governor's authority, credit, and influence, at the ſhrine of the Nabob's will, and confirming the reports induſtriouſly propagated, that Lord Pigot had loſt all his influence in council, and was ſoon to return to England; reports which could not fail of alarming the Rajah.

I ſhall only add, that Lord Pigot has declared he was aſſured the *majority* had *bound themſelves by oath* to *ſtand* by *each other!* This was ſurely a ſufficient reaſon not to give way in one inſtance, as he then became ONLY *their inſtrument*, and would ſoon have been required to give the ſanction of his name to every thing that could mortify and diſtreſs him, in hopes of driving him from that office, in which he could no longer ſerve the Company, or do honour to himſelf.

Meaſures ſettled by Lord Pigot and his friends in caſe the majority ſhould perſiſt *not* to refer the matter to the Court of Directors.

It had been diſcuſſed before the Council met what meaſures could be taken to ſupport the government eſtabliſhed by the Company, in caſe the majority ſhould ſtill perſiſt in their reſolution to come to no compromiſe, or reference of the matter in queſtion to the deciſion of the Court of Directors, but to carry things to extremity. One mode occurred to Lord Pigot, viz. by putting Colonel Stuart in arreſt, if he obeyed an order without the Governor's concurrence: to this many objections aroſe; Colonel Stuart might contrive to receive the orders without the garriſon, and conſequently, by the new military regulations, not be liable to the Governor's arreſt. If he was arreſted the majority would of courſe refuſe to iſſue a warrant for a court martial, and confuſion and diſgrace muſt be the conſequence.

The only expedient that occurred to any of us, was to ground a charge in caſe of making their declaration in the name of the *Council* inſtead of the *Preſident* and *Council*: but here an apprehenſion aroſe, that they would ſee this impropriety, and expreſs their order, not in the name of the *Council*, as they had hinted, but in the name of the

Preſident

Preſident and *Council*, maintaining that the majority conſtituted the efficient Board of *Preſident* and *Council*: in this caſe we could deviſe no meaſure to be purſued conſiſtent with the rules of the ſervice; but Lord Pigot ſaid there was no fear of this, as he inſiſted the ſecretary would not dare to iſſue any order in his name, when he forbade it.—It was impoſſibte to know whether Sir Robert Fletcher would attend or not; it was neceſſary to have every thing prepared, that nothing might be to be done in council. The Company's orders required the charge to be in writing; the Governor, therefore, had in his pocket charges prepared for every probable contingence; whether they began at the eldeſt or the youngeſt, and whether the form was an Order *from themſelves*, or an Order *to the ſecretary*, and whether Sir Robert Fletcher was preſent or not; it was agreed that the firſt of us, to whom the paper was preſented for ſigning, ſhould immediately hand it to the Preſident, who was then to produce the charge. The ſtanding orders directing, that members againſt whom a charge is made, ſhould have no ſeat, the members charged were of courſe deprived of their votes. As our ideas went no farther than relieving the Governor from the compulſion the majority wanted to lay him under, it was determined to ſuſpend no more than the neceſſity of the circumſtance required; and I can anſwer for one, that I ſhould readily have aſſented to have taken off their ſuſpenſion, if they had agreed to Lord Pigot's propoſition of referring the Matter to the deciſion of the Court of Directors. Let us now return to the proceedings in Council.

On the 22d Auguſt, to their minute the majority annexed ſome extracts from Mr. Vanſittart's *narrative*, to elucidate their poſition that the *Governor* was *bound* to conform to the *opinion* of the *Majority*. To this I replied, that the reference to Mr. Vanſittart's narrative, ſo far from "conveying any argument that the reſolutions of Council ought "to be carried into effect *againſt* the *Governor's opinion*, was the "ſtrongeſt argument that can be urged *againſt* the *meaſure*, as Mr. Vanſittart

"Vanſittart's *giving way* brought the *Company's Affairs* to a *moſt* "*alarming criſis* *." To the allegation urged in debate, that "Mr. "Vanſittart knew the Company's conſtitution as well as any man, "and that, therefore, his opinions had great weight." I remarked that Mr. Vanſittart gave a *ſeat* in *Council* to *Commodore Tinker*, of his Majeſty's navy, which was a moſt unwarranted unconſtitutional unprecedented act, and that therefore, his *opinions* could have *no weight*.

I think this a proper place to mention Lord Pigot's ſentiments, as he had expreſſed them, in the draught of a letter to the Company, laid before the Board on the 19th Auguſt. His Lordſhip, in debate, admitted that the Preſident was generally required to concur with the majority of the Council for the carrying on the buſineſs of the Company without interruption; but, when he thought meaſures tended to the eſſential detriment of the Company, it was not only his *right*, but his *duty* to put a negative thereon; which, however, a Preſident would not do, but in caſes of neceſſity, *as he made himſelf ſolely reſponſible*.

"Your Preſident thinks it proper on this occaſion to obſerve, that "the preſervation of order and propriety in government makes it ne"ceſſary for the power of adjournment to be in the Preſident; with"out which a faction, with ſtrong conſtitutions, by relieving each "other might force the Preſident, who is obliged to remain in the "chair, into whatever meaſures they pleaſed. Was your Preſident "to adjourn, to *evade any charge*, either againſt *himſelf* or his *friends*, "there might be ground of complaint, *not for the adjournment*, but "the *motive* of it. But in tranſacting the public concerns of your "government, if the members of the Council, inſtead of aſſiſting your

* This was urged in debate at *the time*, but the written minute was given in at the next conſultation.

" Preſident with their advice, are to aſſume the reins, and determine " what is fit in their *private* meetings, and come to Council only to " dictate to your Preſident, it is impoſſible for your affairs to eſcape " ruin. Your government muſt be ſupported.

" Your Preſident thinks, he has a right to require of every mem- " ber of the Council an opinion upon ſuch matters, as he may lay " before them; and therefore, that it is improper to admit of a pre- " vious queſtion, which may deprive him of that opinion.

" The forms and rules of popular aſſemblies are not at all ap- " plicable to a council board; and, if they were introduced, inſtead " of promoting buſineſs, would impede it, and throw every thing " into confuſion.

" Your Preſident, from an attentive conſideration of the commiſ- " ſion of government, thinks his Council are appointed the better to " enable *him* to manage your affairs. He thinks, that he can do no- " thing without a majority of his Council; and he thinks ſo great a " deference is due to that majority, as to require the Preſident to con- " cur with them on ordinary occaſions, but *not in diſobedience to your* " *commands*. On the contrary, he thinks, his duty to the Company " obliges him not to concur with a ſettled majority, who uniformly " purſue meaſures ruinous to your intereſts, and *contrary to your* " *orders*."

Conſultation 22d Auguſt. To return to the proceedings on the 22d. Auguſt. The preſident again recommended to let the matter in queſtion reſt.

This

This they refuſed, and in minutes, Meſſrs. Jourdan, Mackay, Palmer, Stratton, Brooke, and Floyer, declared their *opinions*, that the inſtructions to Colonel Stuart ſhould be ſigned by the ſecretary, by *order of Council*, and ſent to him immediately.

Not keeping any rule of ſeniority in theſe minutes, there was ground to ſuſpect the plan ſettled could not be carried into effect: after theſe ſeparate minutes they gave in a joint minute, calling on the Preſident to direct that the ſecretary ſhould ſign the letters, and, on his refuſal to give ſuch directions, they, the majority, *looked upon themſelves* as *authoriſed* to order him to do ſo.

This, being ſtill matter of opinion, was no ground of charge: but the Preſident, on perceiving this minute, declared that he would not give theſe orders to the ſecretary; and having intimated that he did not imagine the ſecretary would conſider that, which was merely an opinion, as an order. They wrote the following letter. (Volume I. p. 373)

" To Mr. Secretary Sulivan.

" Sir,

" We, the majority of the Board, having approved of the inſtruc- " tions to Colonel Stuart, and the letter to Lieutenant Colonel Har- " per; and the Preſident not only having refuſed to ſign them himſelf, " but alſo refuſed to order you to do it; we are reduced to the diſa- " greeable neceſſity of directing you to ſign the ſaid inſtructions and " letter, by order of Council, and ſend them to Col. Stuart.

Signed, " George Stratton.
" Henry Brooke."

Fort St. George,
" 22d Auguſt, 1776."

"As soon as the letter was signed by Mr. Stratton and Mr. Brooke, "the President took the same into his possession, and taking notice to "the Council of the frequent times he had entreated them not to carry "this matter further, but to wait the determination of the Court of "Directors, declared he would now stop it where it was, and deliver-"ed in the following paper.

"I charge George Stratton and Henry Brooke, Esqrs; of being "guilty of an act subversive of the authority of government, and "tending to introduce anarchy, in the signing orders to the secretary "to give instructions to Colonel Stuart, which have not been approv-"ed and passed by the President and the Council."

It is easy to be imagined that this charge produced the utmost confusion in the party, who had no suspicion of it, and thought they had every thing before them: agitated as they were with violent passion, it is not wonderful *their* account, of what passed on the occasion, is not accurate.

They allege that the President *snatched* out of Mr. Broeke's hand the letter to the secretary; they appealed to Mr. Russell, to me, and to Mr. Stone, in confirmation of this assertion; we declared, in a joint minute, "we saw no impropriety in the manner the Pre-"sident took the paper signed by Messrs. Stratton and Brooke." by way of proving that Lord Pigot *snatched* the paper out of Mr. Brooke's hand, they remark, that "as he came from his closet pre-"pared, it must have been his *intention* to *seize* the paper as soon as "it was signed by as many of the majority as he wanted to get rid "of." Before the letter was signed by Mr. Stratton, Lord Pigot observed, that although he would not call upon Gentlemen for their sentiments on matters not before the Board, and which they might have many reasons for wishing not to give. This letter was intended as

as a Publick *Act* in which every member was concerned: When Mr. Stratton had signed it, his Lordship took the paper and looked attentively at the signature. When Mr. Brooke was about to sign it, his Lordship very familiarly entreated him not to sign it; and every body having taken their places, when Mr. Brooke had signed it, his Lordship desired it might be handed to him: Mr. Brooke perhaps not hearing, he being *deaf*, withheld it, offering it to Mr. Floyer, who said to him; *Lord Pigot wants to see it*, or words to that effect: and from what his Lordship had before said, that every member was concerned in *this Act*, it might naturally be inferred, that he meant to hand it over to Mr. Russell, who was next to Mr. Brooke in rank, and sat on the opposite side of the table.

When Lord Pigot had received the paper, he removed it from the quire, and folding it up put it in his pocket, taking notice of the frequent times he had entreated them to wait the determination of the Court of Directors; and, declaring he would now stop the business in that stage, took out of his other pocket *the charge*.

When the Charge was read there was the utmost confusion; the various members expressing their passions different ways: Mr. Mackay talked of calling in the military; some called to adjourn. Lord Pigot said, that having given a charge against two members, he, in pursuance of the Company's *Standing Order*, that "if a charge be against "any of the Council at the Fort, in all such cases during the exa-"mination the party concerned not to sit in Council," moved, that they should *withdraw*: explaining himself, that he did not mean to leave the room, but only their seats at the Council Table.

Whether an *adjournment* was to be conſidered, or the *charge*, this undoubtedly in regularity was the *firſt ſtep:* for members againſt whom a *charge* is made, are unqueſtionally as incompetent to vote for an adjournment as on any other queſtion.

Several of the Gentlemen propoſing different things, and all that party being diſtracted and in confuſion, ſome writing *minutes*, particularly Mr. Stratton, I obſerved that the proceedings were very irregular, and begged to know, whether it was meant to adjourn to give the Gentlemen *time* to make a *reply* to the *charge*; or whether, addreſſing myſelf then to Mr. Stratton, that paper he was writing was intended as a reply. He ſaid he did not conſider it as a charge, and that it did not deſerve any anſwer: Mr. Ruſſell had taken him aſide to recommend to him to deſire an *adjournment*; however, both the gentlemen declaring to the ſame effect as Mr. Stratton had done, the Preſident then moved the Board to come to the following *reſolution*.

" Reſolved, that George Stratton and Henry Brooke, Eſquires, be " now ſuſpended from the Company's ſervice, until the Company's " pleaſure be known."

When a queſtion is moved by the Preſident every member of the Council preſent is called on for his vote, beginning at the youngeſt. In this very day's conſultation they had given in a minute, declaring that *every member* ſhould be *obliged* to give in his vote on *every queſtion* propoſed by *any member*.

The votes were taken regularly by the Preſident on this occaſion, beginning with the youngeſt member;

Mr. Mackay,

Mr. Mackay, againſt the reſolution.
Mr. Jourdan, againſt.
Mr. Palmer, againſt.
Mr. Stone, for.
Mr. Floyer, againſt.
Mr. Dalrymple, for,

expreſſing my reaſons in theſe words.

" I think the *Act* of Meſſrs. Stratton and Brooke, in ſigning *di-* " *rections* to the Secretary to *iſſue orders*, which no *officer* can, *conſiſt-* " *ently* with *his commiſſion*, OBEY, is ſubverſive of Government, and " tending to introduce anarchy; I am *therefore* for the queſtion."

Mr. Ruſſell for the queſtion.

The Secretary was then ordered by the Preſident to take no vote from either Mr. Brooke or Mr. Stratton, on the queſtion before the Board; as the " Standing Orders of the Company direct that no " member ſhall ſit in Council when a charge is delivered againſt " him."

" The Preſident ——for the reſolution."

" And as on caſting up the votes it appears they are equal 4 to 4, " the Preſident deſires it may be recorded, that beſides his vote, " he gives his caſting voice for the reſolution.

" Carried accordingly *for* the *reſolution*, by the Preſident's caſting " voice.——"

The

The Preſident then adjourned the Council till to-morrow morning at Eleven o'Clock.——

I am fully perſuaded, that the perſons who oppoſed the reſolution were not ſenſible on what *ground* the *charge* was made, they thought it only a ſcheme to get rid of two members; without reflecting on the expreſſion, *By Order* of *Council*: I do not believe any of them would even now defend *that expreſſion*. It is always to be remembered, that Lord Pigot only required a *negative*; that he repeatedly *urged*, and they as peremptorily *refuſed* to refer the matter to the Court of Directors; that no *other mode* could *then* be deviſed, or has *yet* been pointed out, by which the Preſident could maintain the authority delegated to him by the Company. It has been alleged that *two* perſons ſhould *not* have been joined in *one* charge; but their offence was exactly the ſame, and if the charge had been againſt *one only*, it muſt have been nugatory, as it would be ridiculous to ſuppoſe any man would *condemn another* who was exactly in the ſame ſituation as himſelf: and in the criminal courts, where the utmoſt tenderneſs is ſhewn to culprits, if *two* or more perſons are accuſed as *principals* in the commiſſion of the ſame murder, or of writing and publiſhing the ſame libel, they are included in the ſame indictment: whether the queſtion had been put upon each ſingly or both together, was a circumſtance which neither did nor could make the minuteſt alteration in the event, or deprive them of any advantage in making their defence: No man has yet pointed out another method by which the faction could be broken; a faction who had repeatedly and obſtinately refuſed to refer the matter to the Court of Directors, who were alone competent to decide, but inſiſted on aſſuming all the power of government to themſelves: If to a meaſure which tended to effect an event ſo deſirable and important, no greater object can be made, than the non obſervance

ſervance of a doubtful point of order. I perſuade myſelf the candid publick will diſpenſe with any further defence of the meaſure. The charge *might* have extended to *all*, inſtead of being limited to *two*; if *all* had *ſigned* the letter, but it was an act of *lenity* to *ſtop it* as ſoon the preſervation of the *Conſtitution* admitted it to be *ſtopt*: Nobody made any objection at the time to the *two* members being included in *one charge*, nor againſt the Preſident's caſting voice, which was univerſally acknowledged to be the conſtant practice of the ſervice. The objections made were *general* to the *charge*, not to the want of *form* in any part of it; had the gentlemen againſt whom the charge was made required time to anſwer, it cannot be doubted that time would have been granted to them; Mr. Ruſſell had recommended it to Mr. Stratton, and I had aſked if it was propoſed to adjourn for that purpoſe; but they declaring that they did not conſider it as a charge, and that it deſerved no anſwer; ſurely the Preſident would have acted abſurdly, had he adjourned to give them *time* which they did not require. Nothing can be more in point than the ſentiments of Meſſrs. Stratton, &c. on their ſuſpenſion of Mr. Munro, as expreſſed in par. 39 of their letter to the Court of Directors, viz.* "the mode of proceeding laid down for the trial of offences committed by your ſervants, is, to furniſh them with a copy of the charge againſt them in writing, and to *give them a reaſonable time to anſwer it*. But *this* can *only* be obſerved in *caſes* where the *party may deny the accuſation*, and make it *neceſſary* to *produce proof*:—IN THE preſent INSTANCE

* Vol. II. p. 265.

the

" the FACT was acknowledged and AVOWED by the PARTY HIMSELF;
" no *further proof was required.*"

The minutes of ſome of the members, obtruded into the conſultation of 22d Auguſt, ſtand refuted by themſelves, for they declare the Preſident, " AS SOON as he EFFECTED HIS DESIGN, adjourned the " Council, although the *members* of the *majority* then ſtaid, and *re-* " *fuſed* to *conſent to it.*"

It is true that as ſoon as the reſolution was paſſed for ſuſpending Meſſrs. Stratton and Brooke the Preſident *adjourned* the Council, but it is *not true* that the *members* of the *majority* ſtaid and *refuſed* to *conſent* to the *adjournment*; unleſs by the ambiguous expreſſion of the *members* of the *majority*, they mean the *members* of the *former* majority: if they mean to include Mr. Stratton and Mr. Brooke, I admit the members of the majority were THEN *againſt the adjournment*, although ſome of themſelves had before *propoſed* to *adjourn*. But if they mean the MAJORITY of the *Council* PRESENT, I am ſure they were for the *adjournment*; the minds of men being too much inflamed to have allowed them to tranſact any ordinary buſineſs, had it not been late in the day.

After the ſuſpenſion of Meſſrs. Stratton and Brooke the following general order was publiſhed. (Vol. I. p. 376.)

Fort St. George, 22d Auguſt 1776.

" The Right Hon. the Preſident and Council having thought it " neceſſary to ſuſpend George Stratton and Henry Brooke, Eſquires, " from the Hon. Company's ſervice, the honours of *ſecond* on the " coaſt

" coaſt devolve on Claud Ruſſell, Eſquire, who is to receive them, " AND BE OBEYED * accordingly.

" By Order of the Preſident and Council,

(Signed) R. J. SULIVAN, Secretary."

This minute relation may appear tedious; but I cannot conceive it will be deemed unneceſſary to ſtate every circumſtance particularly; and the Publick will ſee that it is a plain unvarniſhed tale, where nothing is kept back from their knowledge. A publick notification having been made in the proper form, in general orders, of the ſuſpenſion of Meſſrs. Stratton and Brooke, Col. Stuart and every officer in garriſon was acquainted that thoſe two perſons were no longer veſted with any authority. The army were not the competent judges of the propriety of that ſuſpenſion; they were not even to be made acquainted with the *grounds* for which they were ſuſpended; and it was only on account of the military honours, and military command of the garriſon, in the Governor's abſence, which devolved by that event to Mr. Ruſſell, that the ſuſpenſion of a civil ſervant came to be notified to the army.

On the 22d Auguſt the following ſummons was iſſued.

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* Theſe words, and be *obeyed* accordingly, are omitted in the printed copy; publiſhed by the Court of Directors, but the *original order*, without eraſement or interlineation, ſigned by the Secretary, is in my poſſeſſion. I ſhall not *comment* on this omiſſion.

To Claud Ruſſell, Eſquire, Sir Robert Fletcher, Alexander Dalrymple, Charles Floyer, John Maxwell Stone, Archdale Palmer, Richard Lathom, Francis Jourdan, and George Mackay, Eſquires,

Gentlemen,

" The Right Hon. the Preſident deſires your attendance in Council " to-morrow morning at 10 o'Clock, in the Fort Houſe.

I am reſpectfully, Gentlemen,

Your moſt obedient, and moſt humble Servant,

(Signed) R. J. SULIVAN, Sec.

10 o'Clock. *Thurſday.*

On the 23d. Auguſt.

When the Council met, Mr. Lathom, lately come up from Cuddalore, took his ſeat at the Board.

Lord Pigot's antagoniſts have taken particular notice of Mr. Lathom being ſummoned to Council *now*, for the *firſt time*, though he had been arrived from Cuddalore ſome days: It may, therefore, be proper to explain this matter. The uſual ſummons is directed to the *Gentlemen of Council:* the officer, who carries this round, knows he is to ſhew it to all the Members of Council preſent on the ſpot. Mr. Lathom, as a Member of Council, was included in every antecedent ſummons; but his reaſon for not attending Council was very honorable to himſelf; he was ignorant of what had paſſed in Council, and the few days he had been at Madras were occupied in examining the proceedings, that he might come informed to Council, before he was called upon to act as

as a member of the Board. Meſſrs. Stratton and Brooke having declared they did not conſider themſelves as *ſuſpended*, (notwithſtanding their own friends had regularly, and in form, given their votes in council upon the queſtion, which was alſo regularly, and in form, decided by the Preſident's caſting vote) it muſt be apparent it was neceſſary to ſummon the actual members by name; and thus Mr. Lathom came by name to be ſummoned; and being ſummoned by name, it became his duty to attend.

The Preſident then informed the Board, that Mr. Bromley, a notary publick, had put into his hands the following paper, which he declared to be a proteſt.

" To the Right Honourable Lord Pigot, Preſident, &c. Claud " Ruſſell, Alexander Dalrymple, and John Maxwell Stone, " Eſqrs. of Council at Fort St. George.

" My Lord and Gentlemen,

" We, whoſe names are under-written, being of Council, and conſtituting a majority hereof, taking into our moſt ſerious conſideration the proceedings upon record at the two laſt meetings; and more particularly the unexampled outrage offered to the conſtitution, and arbitrary behaviour towards two of our members, by an illegal attempt to ſuſpend them, in order by a trick to get a majority, are of opinion, that the public ſafety is in danger by the conduct of Lord Pigot, and you gentlemen, who have ſupported, and by every perſon, who ſhall continue to ſupport ſuch meaſures; and we *ſhall hold you therefore reſponſible for all the conſequences* that may enſue. " *We the majority of the Board do conſider ourſelves as the only legal repreſentatives of the Honourable Company under this Preſidency*, and as ſuch we have no doubt all the ſervants of the Company will regard us.

Q " For

" For these reasons, and the *evident* ILLEGALITY of the *summons* to " *Council* for this morning, in *which* are *omitted* the *names* of Mr. " George Stratton and Mr. Henry Brooke, *two legal members* of the " *Board* we cannot, consistently with the duty we owe our Honour- " able Employers, attend the said summons: We are,

" My Lord and Gentlemen,

" Your most obedient humble servants,

(Signed) " George Stratton,
" Robert Fletcher,
" Henry Brooke,
" Charles Floyer,
" Archdale Palmer,
" Francis Jourdan,
" George Mackay."

A few remarks are necessary on this letter; no notice is taken of Mr. Lathom, whose name was in the summons, because by leaving him out, they *appear* a *Majority*, exclusive of Messrs. Stratton and Brooke; but had Mr. Lathom been mentioned, they were no longer a *Majority*; the members present at Messrs. Stratton and Brooke's suspension, were,

For the question.	Against the question.
Lord Pigot,	Mr. Floyer,
Mr. Russell,	Mr. Palmer,
Mr. Dalrymple,	Mr. Jourdan,
Mr. Stone.	Mr. Mackay.

Sir Robert Fletcher and Mr. Lathom were absent.

The

The Company's commission of government orders, that all members of council, except those absent as chiefs of subordinate factories, shall be summoned; and the President and *Majority* of the Council *present*, all being duly summoned, constitute the government. The idea, that *suspended members* shall be *summoned* to *attend*, is ridiculous. Had Sir Robert Fletcher, and the other members who were summoned to attend next day, thought the suspension against the *rules* of the Company, they ought to have attended Council to have discussed that point. They could not divine Mr. Lathom's opinion, without whom they were not *even* a *Majority*. By their *non-attendance in Council* all the *legal authority of* the Company devolved on the President and the majority of the members who were present: And had they been actuated by a spirit of resentment, the letter was sufficient ground for suspending the whole: but neither the President, nor any other person shewed the least desire to carry matters farther than was absolutely necessary for the Company's interest, and support of their established government. No notice therefore was taken of the letter, as it could not have been taken into consideration without proceeding further; and it was understood, as the general sentiment, that they should be summoned to Council again on Monday, that being Friday, by which time it was supposed, some at least of them would be sensible of the impropriety of their letter, and, making such acknowlegement as was becoming on the occasion, return to their duty in council.

Having traced every step of the President and Council in this matter, it is requisite to pay attention to the proceedings of those members who had seceded from the Council.

Their proceedings have been published by the Court of Directors, (in Volume 1. Page 385.) from the papers transmitted by themselves.

It

It appears they met, together with Meſſrs. Stratton and Brooke, on the 23d Auguſt, in the morning, and came to a reſolution in the following words: "Agreed by us, ſeven members, conſtituting a ma-
"jority of the Council of Fort St. George, and its dependencies, that
"the following letter of proteſt be immediately ſent to Lord Pigot,
"*Preſident* and GOVERNOR, and to Meſſrs. Ruſſell, Dalrymple, and
"Stone, THREE OTHER MEMBERS of the Council at this Preſidency."
Then they enter the letter before recited: they add, "It being deemed
"neceſſary that the letter of proteſt be delivered into the hands of
"Lord Pigot, &c. by a notary public, in his official capacity, Mr.
"Charles Bromley was accordingly ſent for; and the ſaid proteſt,
"being firſt duly ſigned, was delivered to him for the before-men-
"tioned purpoſe.

"The aforeſaid members, conſtituting a majority of the Council
"of Fort St. George, judging it neceſſary to inform the Governor-
"General and Council at Bengal, of the *preſent diſtracted ſtate* of the
"Honourable Company's affairs under this Government, it is unani-
"mouſly agreed to addreſs them in manner following, and to convey
"this diſpatch to them by the Honourable Company's ſhip Shrewſbury,
"which is to ſail this morning for Bengal, under cover of the packet
"NOW TRANSMITTED TO THAT PRESIDENCY, by Commodore Sir
"Edward Hughes; the COMMODORE HAVING SIGNIFIED TO US
"THAT HE WOULD DO SO.

The Shrewſbury had been diſpatched, and was ſailed for Bengal; but remaining in ſight, Sir Edward Hughes ſent to Lord Pigot to beg he would order a *ſignal* to *be made* for the detention of this ſhip, which was done accordingly; and the Captain ordered to wait for Sir Edward Hughes's diſpatches.—It is unneceſſary to add, that Sir Edward did *not* intimate to Lord Pigot for what purpoſe he begged this favour.

It

It may eaſily be conceived, that the Letter to Bengal was *not* an *impartial recital* of the ſtate of affairs; it is therefore unneceſſary to take further notice of it, except with reſpect to *one circumſtance*; towards the conclu on they ſay, "It is neceſſary to inform you, that AS
"LORD PIGOT'S VIOLENCE HATH OBLIGED US TO REMOVE FROM
"THE FORT." Their letter is dated MADRASS; which ſhews that *they conſidered* the PLACE, where they had taken refuge from their imaginary apprehenſions, to be ſtill MADRASS.

They have not, in their proceedings, taken any notice of ordering the Notary Publick to circulate their letter in the garriſon.

The next record is of the *utmoſt importance*, both in MATTER and in TIME, it is the CONSPIRACY to *ſubvert* the *legal government* of the ſettlement, and, by an act the moſt violent, to *ſeize* the *Fort* and impriſon THEIR GOVERNOR.

"At a Conſultation, 23d Auguſt, 1776.* (Vol. I. p. 390.)

Preſent;

"George Stratton, Eſq;	Sir Robert Fletcher,
"Henry Brooke,	Charles Floyer,
"Archdale Palmer,	Francis Jourdan,

"George Mackay.

"Reſolved, that a *ſenſe* of the *publick danger*, and a regard for the
"*conſtitution* of the Company, have *obliged* us *in this manner* to FORM

* They have alleged in their letter of proteſt, that the omiſſion of Meſſrs. Stratton and Brooke's names in the ſummons, made that meeting of the Preſident and Council *illegal*. Here they hold what *they deem* a LEGAL *Conſultation*, *without ſummoning* ANY OF US, although they had not at that time taken it into their heads, *even* TO SUSPEND US in their *Mock-Council*.

R OURSELVES

"OURSELVES INTO A COUNCIL, *since the letter addressed by us this* "*morning*, as entered in the diary, *have* * had *no effect*. That we "propose therefore regularly to assemble, and watch over the publick "safety, and the important concerns of the Honourable Company "*intrusted* to *us* † as the undoubted majority of the Council.

"That the first *concern* that comes under our consideration is, that "the *Fortress* and *Garrison* of Fort St. George be in *our hands*, and "under *our command*, as the legal representatives of the East-India "Company; and as Lord Pigot, from his late conduct, has *dared* to "*violate every law* which ought to bind a servant who has *sworn fide-* "*lity* to the Company: UNCERTAIN AS WE ARE to what FURTHER "EXCESS HE MAY PROCEED, We THINK IT *our duty*, if NECESSARY, "to *arrest his Person*. That for these purposes we hereby order, in- "struct and empower Colonel James Stuart, on whom, during the "unhappy indisposition ‡ of Sir Robert Fletcher, we *confer* the *com-* "*mand* of the *army*, as well as of THE GARRISON of Fort St. George, "during the *present danger*, to take *such measures* as TO HIM *shall* ap- "pear *proper*, to place the *Fort*, *Garrison* and FORT HOUSE *under our* "*command*; so that publick *tranquility* may be *restored*, and the *busi-* "*ness* of the Honourable Company be carried on in the *usual manner*. "That we further order and direct Colonel James Stuart, if he *sees* "*it necessary*, or that resistance § to these our orders to arrest the "person of Lord Pigot, or of any other person who shall obstruct "him in the execution of these our orders; and for these *salutary*

"*purposes*

* So in the original.

† Who just before have declared, we have FORMED OURSELVES into a Council.

‡ Notwithstanding this indisposition, Sir Robert came into the Fort the night Lord Pigot was seized.

§ Some word wanting, but so in the copy printed by the Company.

"*purposes* we hereby order all the Company's servants, civil and mili- "tary, and all persons who live under the protection of this govern- "ment, to give to the said Colonel James Stuart every assistance and "support in their power, for which THIS shall be HIS and their *war-* "*rant*. Given under *our hands*, MADRASS the 23d August 1776, at "THREE o'clock, P. M."

This is the *only order* to Colonel Stuart which has been produced: upon this order, from men in the *very order* declaring themselves SELF-FORMED INTO A COUNCIL, Colonel Stuart seized HIS GOVERNOR: An order *no where* POSITIVE to *seize Lord Pigot's person*; declaring only that they *think* it *their duty*, if NECESSARY! no where declaring that it *was necessary* even in their opinion! but leaving Colonel Stuart entirely to his *own discretion* to judge of *that necessity*. An order vesting Colonel Stuart with the command of the *garrison* of Fort St. George; for which Lord Pigot, as Colonel Stuart well knew, held a special commission from the Company. An order dated at *Madrass*, which is expressly within the limits of Lord Pigot's military authority, as *Commander in chief*, by the Company's commission; an authority which they themselves recognize in their letter to Sir Edward Hughes of 26th August, declaring "Lord Pigot, from his commission and local "residence, was commander of the fort and garrison." An order on premises *absurd*, or *notoriously false*. Absurd! as grounded on their protest having had *no effect*; a protest in which they *only* gave an *opinion*, and declared they from that opinion would not attend Council; in which Council, wherein they did not attend, no act of any consequence was done: absurd also! as grounded on their being UNCERTAIN to *what* EXCESS Lord Pigot MIGHT *proceed*. Notoriously false! declaring the motives to be, "that *public tranquility may be* RESTORED," and the business of the Company "carried on in the *usual manner*." The *public tranquility* not being *disturbed!* and the *usual* manner of carrying on the Company's business *not* having been, by *an appeal* to *the*

military,

military, to whom they delegated a dictatorial power![†]

I shall postpone any further reflections for the present, and return to the proceedings of the President and Council, (vol. 1. p 584.)

" Friday, 23d August, 1776, at FOUR O'CLOCK.

" The Town-Major having waited on the Governor whilst at dinner, " with a letter to him from Charles Bromley, notary publick, sent by " direction of Sir Robert Fletcher, Charles Floyer, Archdale Palmer, " Francis Jourdan, and George Mackay, Esqrs. of Council; and " George Stratton, and Henry Brooke, accompanying copy of the " papers signed by them, and delivered to the President; in the " EVENING the Governor desired Messrs. Russell, Dalrymple, Stone, " and Lathom, to accompany him to the consultation-room, to deli- " berate thereupon: accordingly, the secretary attending, the letter was " read*.

" To Captain Robert Wood, Town-Major, of Fort St. George.

" Sir,

" I am directed by George Stratton, Esq.; Sir Robert Fletcher, &c. " Gentlemen of Council at Fort St. George whose names are affixed " to an attested copy (herewith sent) of a letter by me delivered this " morning

† The dangerous tendency of calling in the Military to decide, in a *summary way*, on disputes in Council, and on the sense of the Company's orders, needs not be pointed out.

* In the papers printed by the Company there are very many material omissions, and some mistakes; I was refused access to the records at Madras, and therefore would not sign these minutes; I, however, refer to the minutes as they are published; but this reference is not to be understood as an implicit confirmation of them. The notary publick's letter is omitted: I have supplied it from the original.

" morning to the Honourable George, Lord Pigot, President, &c. Claud " Russell, Alexander Dalrymple, John Maxwell Stone, Esqrs; of Council " at Fort St. George, to serve the same upon you, of which you will " please to take notice: and am,

" Sir,

" Your most obedient humble servant,

(Signed) " CHARLES BROMLEY,

" Madras, 23d Aug. 1776. Notary Public.

" Mr. Bromley, the notary publick, being sent for and asked by " whose authority or orders he circulated these letters, declares to the " Board that it was in consequence of the *positive directions given*, at Sir " *Robert Fletcher's house*, to him as notary publick, by *all* the gentle- " men who subscribed the paper delivered by him this morning to the " President, and declared he would be ready to attest the fact when- " ever called upon.

" The Board, considering this act as tending to excite and " cause mutiny and sedition amongst the troops in this garrison, re- " solved to order Brigadier General Sir Robert Fletcher into arrest, " and to try him for being concerned in circulating letters tending to " excite and cause mutiny and sedition among the troops in this garri- " son; in consequence of which the secretary is now directed to issue " the following orders.

" To Sir Robert Fletcher, Brigadier General, &c.*

" I am directed by the Right Honourable the President and Council " to acquaint you, that they hereby order you in arrest, for being

* In the proceedings of consultations, p. 381, as published by the Company, this letter is *omitted!* can it be *accidentally*? it is however inserted p. 590.

" concerned in circulating letters tending to excite and cauſe mutiny " and ſedition among the troops in this garriſon.

" Signed by order of the Right Honourable the Preſident and Coun- " cil, this 23d day of Auguſt, 1776*.

" R. J. SULIVAN, Sec."

The following general orders were alſo given out.†

" The Right Honourable the Preſident and Council having been " pleaſed to order Brigadier General Sir Robert Fletcher in arreſt for " being concerned in circulating letters tending to excite and cauſe " mutiny and ſedition among the troops in this garriſon, Colonel James " Stuart is ordered to take upon him the command of the troops under " this Preſidency, and all reports and returns are to be made to him ac- " cordingly.

By order of the Preſident and Council.

" *Fort St. George,*
23d. Aug. 1776. (Signed) R. J. SULIVAN, Sec.

The behaviour of the other members in circulating theſe papers requiring an immediate determination, it was " Reſolved, unanimouſly, " That Charles Floyer, Archdale Palmer, Francis Jourdan, and George " Mackay, Eſqrs. be ſuſpended from the Company's ſervice, till " the Company's pleaſure be known; and agreed that the following " letter be ſent to each of thoſe Gentlemen.

" Sir.

* The Secretary's name is here omitted; (P. 590.) the original, with his name, was produced at the Weſtminſter Quarter Seſſions by Mr. Wood, who was ſummoned to attend as a witneſs, on a charge againſt Lord Pigot for falſe impriſonment of Sir Robert Fletcher; but the Jury, on ſeeing this order ſigned by the Secretary in the name of the Preſident and Council, immediately rejected the complaint.

† The Order has been collated with and corrected by a copy of the General Orders taken from the Orderly Book of the Garriſon.

" Sir,

" The Preſident and Council, unwilling to proceed to extremity, " were inclined to give you ſome time to conſider the impropriety of " your conduct, in delivering, by the hands of a notary publick, this " morning to the Preſident, a paper tending to ſubvert the authority " of government; but finding that you have ſince then united in cir- " culating that paper to the officers of the main guard, and many other " officers in this garriſon, and to the Commander of the Company's " ſhip London, as well as to the ſecretaries of council, they think " they cannot, conſiſtent with their duty to the Company, delay ſuſ- " pending you from the Company's ſervice: and they have accordingly " ſuſpended you therefrom until the Company's pleaſure be known.

" Signed, by order of the Preſident and Council;

R. J. SULIVAN, Sec.

Having now given a full account of the proceedings of the Preſident and Council, as well as of the Conſpirators; let us return to Col. Stuart.

Mr. Andrew Stuart has taken great pains to inculcate, that the odium ſo generally beſtowed on his brother Col. Stuart, was the conſequence of miſrepreſentations in the firſt accounts of his conduct.

I flatter myſelf that the candid public will, on an impartial review of the *firſt accounts*, be ſatisfied, that, ſo far from *traducing* Colonel Stuart, they contain no *eſſential miſtakes*, and that every *material circumſtance* will ſtand ſupported, either by the teſtimony of Lord Pigot, of *more* than *one* of his friends, or of Colonel Stuart himſelf.

Mr. Andrew Stuart p. 21. *inſinuates* that my letter from Alexandria had miſrepreſented Col. Stuart's conduct; page 24. he ſays, there were in the accounts *firſt circulated*, " circumſtances of friendſhip and con- " nexion between Lord Pigot and Colonel Stuart, and of *treacherous* " *deceits*

" *deceits* practiſed upon his Lordſhip."

One art of a *great writer* is to deal in inuendo, and to leave the reader to apply to *one perſon*, what may relate to *another*, or to *nobody*. My letter from Alexandria being avowedly written from memory, and without acceſs to any papers, it is rather wonderful that I have made *ſo few* miſtakes, than that I have made *ſome*: I had indeed, at Cairo, read Lord Pigot's letters &c. which recalled matters ſo circumſtantially to my memory; But this inſinuation of " circumſtances of friendſhip and connexion, " circulated in the *firſt accounts*," cannot relate to *my letter* from Alexandria; for in Par. 8. (vol. 2. p. 5.) I ſay, "Colonel Stuart having found that " Lord Pigot's protection would not be ſo profitable to him as the coun- " tenance of the adverſe party, *eſtranged himſelf* TOTALLY from Lord " Pigot, and attached himſelf to Mr. Benfield, &c." and what he means by *firſt accounts*, unleſs he refers to that letter, I cannot divine.

In my letter from Alexandria, written, as before obſerved, from memory, without acceſs to any papers, I have ſaid, Par. 13. " In the " evening, at the Fort Houſe, Colonel Stuart, in the preſence of Mr. " Ruſſell myſelf Mr. Stone and Mr. Lathom, ſtrenuouſly urged " delay till next morning, but at laſt aſſured Lord Pigot, upon *his* " *honour*, that he would that night iſſue to the out garriſons the order " of Sir Robert Fletcher's being under arreſt, if we would order the " Tappies to be detained, which was done accordingly. His Lord- " ſhip was deceived by the candour of his own diſpoſition, and had no " ſuſpicion of Colonel Stuart's villainy, *who was only amuſing him till it* " *was dark*; Colonel Stuart *having at this time* an *order* in his *pocket*, " *ſigned* by *himſelf*, to Captain Lyſaught, for *conveying* his Lordſhip a " priſoner to the Mount."

Mr. Andrew Stuart ſays, " with regard to the propoſed ſupper at " the Garden Houſe, on the evening of the 24th, *which did not take* " *place*, it was at *firſt poſitively aſſerted* in *this Country*, that Colonel " Stuart

" Stuart had *invited himſelf* to *that ſupper*, and much emphaſis was put " upon that, as well as upon the other ſuppoſed ſelf-invitations; but it " *has ſince* appeared from Lord Pigot's own letter to the Directors, dated " the 3d of September 1776, that the invitation came from his Lordſhip, " *whoſe* WORDS in *that letter are*, " After dinner I invited him to ſup- " per at the Company's Garden Houſe, which invitation he accepted."

In my letter from Alexandria Par. 14. I ſay, " Lord Pigot went " with Colonel Stuart, *he having aſked* his Lordſhip to *convey* him to the " Company's Garden Houſe to *ſupper*." Whether theſe words were or were not conſtrued to mean, that Colonel Stuart had *invited* himſelf to *ſupper*, I ſhall not enquire, becauſe it is of no conſequence; the TREACHEROUS SELF-INVITATION was to a Seat in Lord Pigot's CHAISE! NOT to a *ſupper* which he had determined Lord Pigot ſhould never ſee: And the teſtimony of *this fact* Mr. Andrew Stuart, with infinite candour, paſſes *over in ſilence*, though the words of Lord Pigot's letter immediately following thoſe he has quoted, are " at the ſame time ac- " quainting me *that he had no conveyance*, he REQUESTED I WOULD TAKE " HIM WITH ME IN MY CHAISE." And Colonel Stuart himſelf ſays Lord Pigot had *agreed* to drive him to the garden houſe in his chaiſe: this proves the *requeſt*.

As to the dinner on the 24th Mr. Stuart ſays, " the fact is, that " Colonel Stuart went there by invitation;" Lord Pigot declares Colonel Stuart invited *himſelf*; I agree with Mr. Stuart it is really of little conſequence; but not for the reaſon he aſſigns, for the Governor does NOT " keep an *open table* for the *Officers*, and in general for every per- " ſon of a certain rank," nor are the partakers of the Governor's dinner " always ſo *very numerous* that it is no mark of particular intimacy or " friendſhip for a man either to be invited, or to *come uninvited*, upon " ſuch occaſions."

Strangers have frequently a *general invitation*, but the Governor, at leaſt Lord Pigot, never kept an *open table* at dinner: at breakfaſt the

 table

table was *open*, and the Governor *generally invited* all who breakfaſted with him; but if he did not *invite them*, they did not go to dinner; None but *intimates* came *uninvited*: Unqueſtionably an *impudent fellow* may have *intruded* himſelf, but had Lord Pigot perceived any perſon doing ſo, he would not have been wanting to take proper notice of the intruſion. Sometimes the Company were very few, and I have dined at Lord Pigot's table during both his Governments, with not more than half a dozen perſons in company;

In reply to Mr. Capper's letter, publiſhed by the Court of Directors, I wrote a letter to them 24th May 1777, which I deſired they would alſo publiſh. In this I took notice of Mr. Capper's allegation, "that my letter is calculated not to *inform* but to *miſlead* thoſe who "may *give too much credit to it*," and obſerved "the only miſtakes I "yet know* in that letter from Alexandria were in the quotation of a "letter from the King of Tanjour, uſing the word *obſtinate* for *fickle*, "and Colonel Stuart's *words* when he ſeized Lord Pigot by *the arm* "and ſaid, Go, Sir; or, Go out, Sir, inſtead of GET OUT; but the "rudeneſs of the manner of his addreſs is ſtrongly confirmed by his "*ſeizing* Lord Pigot by the *arm*. It does not become me to determine whether moſt confidence is to be placed in the relation of "Lord Pigot or of Colonel Stuart; but I muſt obſerve, that Colonel "Stuart's own relation does not contradict Lord Pigot's in any eſſential circumſtance.

"In Par. 9, he accuſes me of a *ſhameful miſrepreſentation* of Col. "Stuart's conduct; I leave you to judge of the *fidelity* of *my relation* concerning Colonel Stuart, by referring to Lord Pigot's letter "of

* I find I have made *another miſtake*, by ſuppoſing he had in *his pocket* the *order* to Capt. Lyſaught to carry Lord Pigot a *priſoner* to the Mount, when he *begged* in the Conſultation-room that he might be allowed *to ſee the proceedings*, to enable him to *judge* as an *honeſt man*, and to *act* according to *his conſcience*: it appears he had at *that* time *delivered* this order to Capt. Lyſaught.

"of 3d September 1776, (Vol. II. p. 24) and to Colonel Stuart's "own Reports, Vol. I. p. 417, and Vol. II. p. 239) the *only word* "that I think *improper* in my letter concerning Colonel Stuart (except "the expreſſion which I corrected in the Memorandum I tranſmitted "to you from Marſeilles) is the word *villainy* inſtead of *treachery*; not "that I think the Engliſh language has an expreſſion too ſtrong for "his behaviour, but becauſe I think it an improper word to uſe in "an addreſs to you."

I hope the imputation of miſrepreſentation will be my apology for this quotation; which otherwiſe would have been unneceſſary, as it is proper to give fully Lord Pigot's own account of the whole tranſaction, to which I ſhall add a few notes. I ſhall follow Lord Pigot's narrative as the moſt explicit, though not eſſentially different from his Lordſhip's letter to the Company; I the more readily follow the *narrative*, becauſe this is the paper falſely attributed (p. 21) to Mr. Ruſſell, and alleged to have been "*printed* with great ſecrecy in India "TO BE FORWARDED TO THIS COUNTRY," although Lord Pigot had ſent copies in MS. to ſeveral of his friends in England, and had intended it to be printed for the information of the Proprietors of India Stock, having given me a ſhort addreſs to the Proprietors to have accompanied it, and I can with confidence ſay there was *not a line* of the Narrative written by Mr. Ruſſell.

Soon after Lord Pigot's impriſonment he related the circumſtances to me and others; I immediately after wrote down with pencil the ſubſtance of what he had ſaid; this he afterwards amplified and corrected; theſe ſcraps of paper, written in pencil, I have either miſlaid or deſtroyed, but recollect to have ſeen them ſince my arrival in England; and I ſtill have another paper, giving the relation, in which ſome words, even of diction, are altered by Lord Pigot himſelf, ſo that nothing can be better eſtabliſhed than this, to be his Lordſhip's *own Narrative*.

Lord

Lord Pigot, after giving an account of Sir Robert Fletcher being put under arreſt, ſays,

" I ſent for Colonel Stuart, who came and ſupped with me in the *fort houſe*; as I did not think it prudent, under ſuch circumſtances, to go out of the garriſon to ſupper.

" In the morning early, Colonel Stuart ſent his nephew Mr. Baſil Cochran to me, to know whether I breakfaſted in the fort or at the *Garden-houſe*, that he might wait on me *for my commands*, I replied, that I would do either, as was moſt agreeable to Colonel Stuart: Mr. Cochran returned with an anſwer, that Colonel Stuart would wait upon me at the *Garden-houſe*, if agreeable: In my way thither, I ſtopt my chaiſe at Colonel Stuart's door, when he told me he had appointed Colonel Edington to meet him at the drill, and would be at the gardens in about an hour: He accordingly came thither to breakfaſt, and acquainted me at the breakfaſt-table, that the men were very perfect in their new diſcipline, and *he hoped ſoon to be able to ſhew them to me.*†

" After breakfaſt he told me, *if I would give him leave he would dine with me*: and he gave me the following letter.

" The Rt. Honble. Lord Pigot, &c.

Fort St. George, Auguſt 24, 1776*.
Saturday morning 7 o'clock.

" My Lord,

" As I am very imperfectly informed of the ſteps which have led *to* " *the honour conferred upon me yeſterday*, and not thinking myſelf *entit-* " *led to a ſeat in Council* as matters are at preſent circumſtanced, I " hope

† Adding, whenever Lord Pigot would appoint a day: Col. Stuart was very familiar, and joked about Mrs. Edington, who, he ſaid, had promiſed to take him for her ſecond huſband.

* Vide Col. Stuart's report, p. 83, by which it appears he had before this time formed *his plan* for ſeizing the Governor's perſon.

" hope it will be agreeable to your Lop. to allow me this day [and " to morrow†] to peruſe the conſultations and other papers paſſed in " Council on occaſion of theſe unhappy differences. I doubt not but " Your Lop. will find this requeſt reaſonable; *becauſe the practice of the-* " *ſervice gives ſuch information to the perſon commanding the forces, from* " *his ſeat in Council.*

" I do not deſire to put your Lop. to the trouble of ordering copies " for my uſe. The Secty. need only point out to me what is neceſſary " for my information; for I wiſh to act from information, ſo as to do " my duty to my employers, according to my oath of fidelity, for " the public ſervice and with honour to myſelf.

" I truſt therefore your Lop. will be *pleaſed to agree to this requeſt*, " before I am called upon to execute any public act by authority. I " have the honour to be moſt reſpectfully,

" My Lord,

" Your Lop:

" Moſt obedient and moſt humble ſervant,

(Signed) " JAMES STUART." *

" I told Colonel Stuart, that I had not the ſmalleſt objection to his and the whole world's having every information; that his not having a ſeat in Council required this civility the more; but that I could never

† The words within [ ] eraſed.

* Lord Pigot ſhewed this letter to Mr. Ruſſell and me after breakfaſt; we agreed that it had a very ſuſpicious appearance, but his Lordſhip thought it was only meant by Colonel Stuart as an apology to his party for leaving them; alledging that Colonel Stuart had a character to loſe: His Lordſhip was reſtrained by the delicacy of his own ſituation; in conſequence of Colonel Stuart having ſo long eſtranged himſelf without cauſe.

condeſcend to any thing that looked like *making a bargain with an officer*; Colonel Stuart ſaid, *it reſted entirely with me to ſatisfy him or not, it was his duty to obey.*

" Colonel Stuart dined with me,* and after dinner I invited him to ſupper at the Company's *garden-houſe*, which invitation he accepted: At the ſame time, acquainting me that he had no conveyance, he requeſted I would take him with me in my chaiſe. I appointed him to come to the *fort-houſe* at ſix o'clock in the evening†.

" As Sir Robert Fletcher's ſucceſſor was ordered by the Company to have a ſeat and voice in Council and Committees, when military affairs were under deliberation, in the ſame manner as at Bombay; I thought it would be handſome to let Colonel Stuart have an occaſional ſeat in like manner, during the time he acted as Commander in Chief. I wrote a note to Colonel Stuart, reciting the ſubſtance of the Company's orders, and deſiring if he had got a copy of the order to Bombay that he would bring it, as it was my wiſh to make every thing agreeable to him.

" I that afternoon deſired the gentlemen of the Council to meet me in the fort houſe. Some of the Council differing in ſentiment from me, on the ſubject of Colonel Stuart's having a ſeat in the Council, it was agreed, in my apartment, that we would not have a regular conſultation in form, but merely a meeting without taking places or ſhutting the door. Colonel Stuart, who remained in the conſultation room, had

* Col. Stuart, when he came to dinner, brought Lord Pigot a *preſent* of ſome *Cherry Brandy*; and was ſo familiar, that people preſent took notice how ſoon he had changed friends.

† Col. Stuart borrowed Lord Pigot's watch to know the time, ſaying, his own was out of order.

had not a copy of the orders to Bombay, but gave me a *letter* declaring, *that he had received aſſurances he was intended to have a conſtant ſeat in Council, in the ſame manner as Sir Robert Fletcher*: This not being a matter then to be diſcuſſed, little was ſaid upon the ſubject. He was *ſhewn the commiſſion of government*: he ſaid he wanted to ſee all the proceedings, that he might judge as an *honeſt man*, and a *free agent*. It was replied by one of the council, that this doctrine, of a military officer's being a *free agent* and *entitled to know* on what ground orders were given, could not be admitted; that a military officer was bound to obey the *legal* orders he received from the *proper authority, iſſued* in *due form*, and had no claim to know, whether thoſe orders were for good reaſons or not. At the ſame time he was told, that no information would be denied to him, or to any man in the ſettlement; and that probably, if the application had been made *verbally* inſtead of by *letter*, no difficulty would have been made to ſhewing him the whole proceedings; Colonel Stuart made a lame excuſe for writing, ſaying, that he thought it was beſt to have every thing on paper; He ſaid *he had been miſunderſtood; that he did not mean to diſpute the authority*, but only *wanted information for his private ſatisfaction.* Mr. Ruſſell pointedly aſked Colonel Stuart, *if he had accepted the command agreeably to the orders of the Preſident and Council the preceding evening?* He replied *certainly*; for he had *received the ſalutes, and done all other things belonging to the office.* He then declared, *he was ready to do what we thought proper to direct*, and *aſked me what he was to do.* I deſired him to iſſue the general orders of Sir Robert Fletcher's being under arreſt to all the out-garriſons. He pleaded very earneſtly *to delay it till morning*; But when the neceſſity of it was urged to quiet the minds of officers, who might have received the circular letter from the notary public, he declared *upon his honour*, that, *if we would detain the tappies he would iſſue them that night.* The tappies were accordingly ordered to be detained, and the Secretary promiſed to ſend ſome aſſiſtants to the Adjutant General for the quicker diſpatch of thoſe orders.

" Between

" Between ſeven and eight o'clock at night I went from the fort-houſe, with Colonel Stuart, to my chaiſe. On the iſland, between the two bridges, I ſaw Lieutenant Colonel Edington, the Adjutant General, come running aſlant the road, from the ſouthern ſide, towards the chaiſe; ſuppoſing he wanted to ſpeak to us, I reined in the horſes; and when Edington got near their heads, he waved his naked ſword and cried *Seapoys*, whereupon a party of Seapoys came from behind the trees on the other ſide, and Captain Lyſaught, with a piſtol in his hand came up to the chaiſe from that ſide, and ſaid to me, "*You are my priſoner*," or words to that effect; and then Colonel Stuart *ſeized hold of my arm*, and ſaid, "*Go, Sir*," or "*Go out, Sir*," and an orderly Serjeant drove away the ſervant, who was behind the chaiſe with my ſword; I was then conducted by Captain Lyſaught to Mr. Benfield's poſt-chaiſe, Captain Lyſaught opened the chaiſe door, and an orderly Serjeant came out of it; I was told to get into it, and Captain Lyſaught came in alſo, keeping the piſtol in his hand, and there was an orderly Serjeant behind the chaiſe. As we paſſed the Seapoy guard, at the Company's Garden houſe, Captain Lyſaught ſaid "*My Lord, you muſt on no account call out*," or words to that effect. When we had arrived near to the Long Tank, about three miles from town, he told me, that he was carrying me to the *Mount*, to deliver me into charge of Major Horne, and that he acted under *Colonel Stuart's orders*. About this time he let down the blinds of the chaiſe. I expreſſed my fears for the ſafety of the people in the town; to which Captain Lyſaught replied, he believed Colonel Stuart had taken every neceſſary precaution on that head.

" My

" My ſervants informed me, Colonel Stuart returned to town in my chaiſe; and, I underſtand, ſoon after Mr. Stratton, Sir Robert Fletcher, &c. went thither; that they proceeded to the Conſultation Room, and were *proclaimed* on the parade, *as Governor and Council*, by Colonel Stuart, who, it is now ſaid, *had before accepted the ſame appointment from them, which he had received from us*; and this ſeems confirmed by his orders to Major Horne, delivered by Captain Lyſaught, which is the only orders Major Horne is permitted to give me a copy of: But I muſt take notice, that in a ſubſequent order, ſigned George Stratton, Henry Brooke, Robert Fletcher, Charles Floyer, Archdale Palmer, Francis Jourdan, and George Mackay, is the following paragraph: " *As your laſt reſource in any attempt to reſcue Lord* " *Pigot, his life muſt anſwer for it, and this you will ſignify to him.*"

To this relation of his Lordſhip's, I ſhall add Colonel Stuart's report from Vol. I. p. 416, made on the 26th Aug. 1776.

" Colonel Stuart having requeſted to attend the board, in order to " lay ſome information before them, relative to his own ſituation " ſince he was appointed to the chief command of the forces by Lord " Pigot, Meſſrs. Ruſſell, Dalrymple, Stone, and Lathom; the Co- " lonel is called in, and lays before the board a copy of his letter to " Lord Pigot, dated yeſterday, and requeſts permiſſion to mention " to the board what paſſed on the occaſion."

Here follows the letter inſerted page 76.

" I delivered this paper to his Lordſhip at the Garden Houſe im- " mediately after breakfaſt. His Lordſhip read it attentively, and

" objected

" objected to the laſt part of it, as it had the appearance of a bargain " before I was to do my duty: He gave me no ſatisfactory anſwer as " to the communication requeſted, though I waited at home from " nine o'clock to one,* in expectation to be called for that purpoſe. " When I went to dine at the Admiralty with Lord Pigot, I again " renewed the converſation, and urged the reaſonableneſs of my re- " queſt: I obſerved that to treat me otherwiſe, it was improper, from " my rank and ſtation, as it was forcing me to execute orders blind- " folded; however, that it was in his Lordſhip's power to refuſe it, " and that I knew my duty, and would do it. I was ſummoned " to attend Council that evening at 6 o'clock, when in the Council " room, much converſation paſſed on various matters, and I again " urged to his Lordſhip, in preſence of Meſſrs. Ruſſell, Dalrymple, " Stone, and Lathom, the propriety of giving me communication of " what had paſſed, but to no effect. In particular, I recollect, that " great pains were taken to obtain a public acknowledgement of the " authority of that part of the Council then aſſembled, by my order- " ing officially the Adjutant-General to publiſh to the army the or- " ders of the 23d, whereby I was appointed Commander in Chief, " and Sir Robert Fletcher was put under arreſt."

" Colonel Stuart's report of the manner in which he executed the orders given him in the minute of Conſultation of the 23d Auguſt, 1776 †.

" AS ſoon as I had an opportunity of being well informed of the general ground upon which the late majority (who *now* compoſe the government)

* It has been confidently aſſerted the morning was ſpent in adjuſting their plan for ſeizing Lord Pigot, and I have heard Colonel Stuart received repeated viſits from Mr. Benfield, who came in privately the back way.

† Vol. 2. p. 239. This paper is without date.

government) had ſeparated themſelves from Lord Pigot, and the gentlemen who adhered to him, ſome particulars of which were ſignified to the public and to me, by the letter of Auguſt 23d, directed to me by the notary public, Mr. Bromley, *I did not heſitate* to conclude it my duty *to obey their orders*; and in this view I had no difficulty in determining what part I was to act at the time when I received from Mr. Stratton the orders contained in their minute of conſultation of Auguſt 23d.* In conſequence of the powers veſted in me by that minute, I *forthwith* formed the plan of putting this fortreſs into the poſſeſſion of, what I conſidered to be, the legal government, with as little danger and confuſion as poſſible. The principal officers of the garriſon and neighbourhood, who, as I ſuppoſe, had received the ſame information from the proteſt circulated by the notary public, Mr. Bromley, gave a ready concurrence on their part to aſſiſt me. It became an object of great importance, towards the public peace of the ſettlement, to ſecure the perſon of Lord Pigot. *My own knowledge of the man*, and what I heard from others *of his violent haſty temper*, made his arreſt neceſſary in my opinion; and I had taken meaſures to arreſt him *even in the fort*, had it been neceſſary. But *I ſhall ever think it a fortunate circumſtance, that I was not driven to this neceſſity.* After the Fort-Adjutant had *delivered to me*, by order of Lord Pigot, the *general orders* of the 23d Auguſt, *appointing me to* the *command of the army*, I went in the evening to the fort-ſquare, at Lord Pigot's deſire, to meet him. We had ſome converſation apart, the ſubſtance of which was, That *he conſidered my having received the general orders without objection, as an acknowledgment*

* It has been reported that *one* of the *uſurpers* has ſolemnly declared, that Col. Stuart was not acquainted with their intention of *impriſoning* Lord Pigot till he received the order to that effect. This ſolemn declaration Colonel Stuart himſelf contradicts, for he ſays (Col. Stuart's Defence, publiſhed by T. Cadell, November 1778, p. 36.) " This paper I *ſaw* WROTE and SIGNED, and received it in perſon from the gentlemen." This ſurely proves that he was preſent at their *conſpiracy!*

knowledgment of the authority by which they were publiſhed. On my part, *without contradicting that poſition,* I told his Lordſhip, that I owed to the Court of Directors the obligation of being next in command to Sir Robert Fletcher; and I preſſed his Lordſhip to allow me communication of the records. He gave no preciſe anſwer, but aſked me to ſupper, as he ſaid, with his friends; which I promiſed to do, provided he gave me his word, that nothing of buſineſs ſhould be talked of. Meſſrs. Stone, Dalrymple, Lathom*, and the Sub-Secretary, Mr. Baine, were of the party. Next morning, the 24th Auguſt, I thought proper to write Lord Pigot a letter, again requeſting communication of the records before I was called upon for any executive act as Commander in Chief. This letter I delivered, after breakfaſting with him at his garden-houſe. He read it with ſeeming attention; did not deny the reaſonableneſs of the requeſt; but objected to the manner, as *it looked like making a bargain* before I conſented to do my duty. *He aſked me to dinner.* I waited at home from nine o'clock till one, *in expectation of being called to council*‡. I then went to the houſe called the admiralty, and again urged my requeſt to be informed from the records of the grounds that had given riſe to the *honour conferred upon me in general orders.* I had no anſwer that gave me any ſatisfaction. After dinner was over Lord Pigot aſked me to ſup. I enquired particularly whether he ſupped in *town* or at the *garden-houſe.* He told me in the *country,* but that he would ſee me at ſix in fort-ſquare. About five in the afternoon I received a note from the Sub-Secretary, Mr. Baine, deſiring my attendance on Council at ſix o'clock. By this time *I had entirely compleated my plan,* and had entruſted the execution of it to Lieutenant-Colonel

* Mr. Lathom was not preſent, Mr. Ruſſell having carried him out of Town in his chaiſe.

‡ His letter mentions that he did not think himſelf entitled to a ſeat in Council,

Colonel Edington the Adjutant-General, to Captain Lyſaught then in the garriſon†, and to Major Horne, commanding the corps of artillery at the Mount. The firſt gentleman I ordered to poſt himſelf at a certain place on the road, with a few Seapoys, to ſtop the carriage, in which he would ſee Lord Pigot and me, to diſperſe the attendants, and to arreſt Lord Pigot in the name of government.

" I ordered Captain Lyſaught to be near at hand with a chaiſe, and an orderly ſerjeant, to convey Lord Pigot to Major Horne's at St Thomas's Mount, and gave him my orders and inſtructions for the Major. I poſted another officer near *Lord Pigot's guard* at the garden-houſe, to prevent their getting under arms in caſe of an alarm. *Having made this diſpoſition,* I went to Council, where Lord Pigot arrived half an hour after ſix. There were preſent Meſſrs. Ruſſell, Dalrymple, Stone, Lathom, Mr. Secretary Sulivan, and Mr. Baine. But they did not ſeem to be regularly met, or ſitting as a Board. Lord Pigot retired with one or two gentlemen for ſome minutes, and then brought in his hand a parchment, which he called the *commiſſion of government,* in order to convince me *there was no power in the Council to diſmiſs or ſuſpend the Governor.* * There was much converſation upon this and other ſubjects, *which I confeſs I induſtriouſly*

† C. Lyſaught was not *doing duty* in the Garriſon, but was *there* on *leave* of *abſence* from his poſt in the Northern Circars.

* Lord Pigot was ſo entrenched in the Conſtitution, the commiſſion of government declaring he could not be *removed but by the Court of Directors,* that he had no apprehenſions! although enough paſſed in this conference to raiſe ſuſpicions of Col. Stuart, I do not ſuppoſe any man, but thoſe in the plot, could have *ſuſpected* that Col. Stuart would have *ſeized* his Lordſhip's *perſon.*

ſpun out to gain time till it was dark. The utmoſt efforts of Lord Pigot and the gentlemen were uſed to obtain *an avowed acknowledgement of their authority* by ſome public act on my part. Particularly they deſired, that I might, as Commander in Chief, direct the Adjutant General to publiſh in general orders to the army, the reſolution of Council, whereby Sir Robert Fletcher was put in arreſt, and I was appointed to the command. I repeated at full length the hardſhip of obliging me to take this, or any other ſtep, without giving me communication of the reaſon of their proceedings, adding, that I conſidered it *as a right peculiar to the officer commanding the forces, who, from his ſtation, is entitled to a ſeat in Council.* Mr. Dalrymple and others in anſwer ſaid, it was my duty to obey. *I fought off the beſt way I could* *; and a great deal of vague converſation followed, the particulars of which Mr. Secretary Sulivan very poſſibly may recollect. It was now about half after eight, and Lord Pigot had AGREED to drive me to the garden-houſe in his chaiſe. The Adjutant General ſtopped the chaiſe according to orders, and *I told Lord Pigot that he muſt go* with Captain Lyſaught, who accordingly delivered him over to Major Horne. I then ſent the Adjutant General to the houſe where the ſeven members of Council were aſſembled, to acquaint them that every thing was ready for their reception in the fort-ſquare. I returned myſelf to the fort, where I found every one in the beſt diſpoſition to acknowledge their authority.

" I do not take any minute notice here of Mr. Ruſſell's conduct, in attempting to give orders to the main guard in my preſence, and in the preſence of almoſt all the officers in the garriſon. I was under the

* Vide Lord Pigot's account, p. 79.

the neceſſity of forcing him from the parade, in order to bring him before Council, where I wiſhed he ſhould remain till he heard what I had to ſay upon the occaſion, the particulars of which appear upon the minutes of conſultation of the 24th at night.

" The Board having information, that underhand practices were made uſe of to draw the ſoldiery from their duty, which they had reaſon to believe were encouraged by the local reſidence of Lord Pigot, *they empowered me to take ſuch meaſures as I thought proper, to remove his Lordſhip to Chingleput.*

" On the 26th * I ordered Major Cook thither to receive his Lordſhip,

* On the 27th Auguſt, (Vol. 1, p. 426) " The Preſident acquaints the Board, " that he *this morning* received information *from Col. Stuart*, that he had reaſon to " apprehend there was ſome tampering with the troops at the Mount, by perſons in the intereſt of Lord Pigot and his aſſociates."

They thereupon reſolve to remove Lord Pigot from the Mount to Chingleput, and to order Major William Cooke to proceed to Chingleput, whom they then appointed to the command there.

On the ſame day, (p. 432) in a letter to Major Horne, they ſay, " We have " *this* day *intercepted* certain letters which gave us ſome grounds to think there is " an intention to tamper with the ſoldiers of this garriſon, and alſo with thoſe " of your corps, in favour of Lord Pigot; *this* obliges us to come to the *reſolu-* " *tion* of removing his Lordſhip without delay."

So that Col. Stuart on the *day before* theſe letters *were intercepted*, had, with the true faculty of *ſecond-ſight*, made preparations for Lord Pigot's *removal*: Col. Stuart ſays " the Board, *having information* that underhanded practices were " made uſe of to draw the ſoldiery from their duty," *empowered him* to take ſuch meaſures as he thought proper, to remove his Lordſhip to Chingleput. Would any one, from this declaration, ſuppoſe the *information* to the *Board* came from *Col. Stuart* HIMSELF! the intercepted letters are not produced.

Perhaps

Lordſhip, and to provide the neceſſary things for his Lordſhip's convenience; and on the 27th I alſo ordered Lieutenant Colonel Edington

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Perhaps it may be impoſſible ever to get to the bottom of this *Black buſineſs*; but the Town-Major at Fort St. George received a letter in the morning of the 26th from Serjeant Keeling, who had for many years, with great credit, commanded the Fort at Trippaſſore, that a rumour had reached him of a change of Government, which he did not credit, 'till an *order* arrived at the village of Trippaſſore for the *Nabob's Troop* of *Horſe* to *march* at 12 *at night* acroſs the country to the ſouthward;— and the following account is given in a letter dated

Mount, 23d September, 1777.

"The night intended for the removal of Lord Pigot I left the Mount in my "way to Trichinopoly, taking the Chingleput road; about the middle of the "ſame night I came to Vendeloor, where I found lying on their arms a body of "Seapoys, commanded by a Lieutenant Skyrme."

"I left that Choultry [Vendeloor] the next morning, and *ſaw* in *ſeveral places* "on the *road black-cavalry* ſtationed, *one* of them, who was diſmounted and "ſitting by his horſe *under the bank* of a *tank*, with a *carbine* in his hand, on my "aſking him by my Pallankeen boy, *what buſineſs he was on*, and *why* he *concealed* "*himſelf and horſe* in *that manner*, and by *whoſe order*, He replied, *he was ſent there* "by the *Nabob*, on my interrogating him concerning his buſineſs, he moved off, "without ſaying any thing more."

After they had given up their intention of forcing Lord Pigot away on the night of the 27th, Serjeant Shaw, the worthy aſſociate of Stuart and Eidington, in their *night exploits*, threw out the priming of his piſtols, and ſaid, in hearing of many people, "It's lucky for you old boy that you were not of our party to- "night:" or words to that effect.

Edington to proceed to St. Thomas's Mount, and concert meaſures with Major Horne, that *without the leaſt noiſe and diſturbance to the Ladies* of Lord Pigot's family, he might be conveyed in a chaiſe along with Lieutenant Colonel Edington to Chingleput*. As to what paſſed on this occaſion, I refer to Lieutenant Colonel Edington and Serjeant Shaw's affidavit.

"I cannot cloſe this narrative without adding my ſatisfaction at having had an opportunity, in preſence of the Council and of all the officers of the garriſon aſſembled on the 24th at night, to declare *my ſentiments upon the nature of a free government, under the auſpices of the Britiſh conſtitution*; that it conſiſted in the *due ſubordination* of the military to the civil power†. This declaration I made in the name of all the officers of the garriſon then preſent, to which they unanimouſly aſſented. Were it neceſſary to bring additional proofs of my real ſentiments at this criſis, I might refer *to my converſation* in preſence of a large company next day, aſſembled at dinner at the Governor's in the Fort Square; and the *public toaſt* I gave on that occaſion unanimouſly approved by the civil and military ſervants then preſent. It was, "Juſtice to the "army, while ſubordinate to the civil power."

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* The idea that the Ladies of Lord Pigot's Family would be leſs diſturbed by their Father's being *carried off* in *the night*, than by removing his Lordſhip in *the day*, muſt confirm the ſuſpicion that there were other reaſons for this unſeaſonable attempt to remove him.

† A proof of this ſubordination of the *military* to the *civil* power is Colonel *Stuart*'s being appointed to command the *garriſon* of Fort St. George, inſtead of the Governor, who had the Company's Commiſſion.

" Though a ſoldier upwards of twenty-nine years ſtanding, *I never one moment loſt ſight of the bleſſings of civil liberty*, and *I ſhall ever eſteem it the moſt honourable and moſt fortunate circumſtance in my life, to have been in any degree the inſtrument of recovering the legal authority of the Company's repreſentatives*; and I am ready to riſk my all to ſupport and maintain the *eſtabliſhed conſtitution* according to my oath of fidelity as a ſervant of the Honourable Company.

JAMES STUART."

To theſe public accounts given by Colonel Stuart, I ſhall add ſuch parts of his private letters as his brother, Mr. Andrew Stuart, has publiſhed.

Mr. Andrew Stuart ſays, p. 21, that by the firſt conveyance after Colonel Stuart had ſeen the pamphlet, [Lord Pigot's narrative] he received a letter from him, " wherein he particularly gives an account " of what paſſed in the Council room on the evening of the 24th of " Auguſt, immediately before the arreſt took place; and the account " there given, *expreſsly contradicts* the declarations, imputed *by Lord " Pigot's friends* to Colonel Stuart, during the courſe of that interview " in the council-room." What Colonel Stuart ſays is in theſe words:

" As to what is *falſely ſaid* of my having given *my honour to obey " the orders of Lord Pigot's faction*, I truſt, that, independent of my " *own aſſertion* being *full* as *good* as the aſſertion of Mr. Ruſſel* ſo " nearly

* This mode of transferring Lord *Pigot's aſſertion* to Mr. *Ruſſell* cannot paſs unnoticed; however, it does not reſt on Lord Pigot's *ſingle* teſtimony, that Colonel Stuart did declare upon his honour, if we would detain the Tappies, that he would iſſue, by the Adjutant-General, that night, to the out-garriſons, the orders

" nearly connected, the evidence of Mr. Sulivan, who was preſent; " and then acting as ſecretary, will be more than ſufficient to overturn " the calumny; but if I may be believed to have any *memory*, or to " be *poſſeſſed* of *common ſenſe*, or *conſiſtency* of *conduct*, none who know " me as ſuch can poſſibly think, that the *man* who *wrote* and *delivered* " the *letter* the *morning* of that *memorable day*, the 24th of Auguſt, (of " which you have a copy) could *poſſibly* make *ſuch a declaration* the " *ſame evening*.

" Very true it is, indeed, that the members of Lord Pigot's faction " had ſummoned me to meet them in order to croſs-queſtion, and if " poſſible, commit and entrap me in ſome ſnare; and as I had no pre- " vious notice* of their intention, it required the utmoſt effort of " caution and prudence in me to elude their intentions. At the pre- " ciſe time of this fiery ordeal, the ſecret was in the power of near fifty

ders of Sir Robert Fletcher's being under arreſt: we alſo can bear witneſs to it; and Colonel Stuart's taking no notice of the circumſtance of the Tappies is a tacit proof. Where Mr. Sulivan's *evidence* is I do not know. Will Mr. Secretary Sulivan *deny* that Colonel Stuart promiſed, upon his honour, to iſſue to the out-garriſons that night the orders of Sir Robert Fletcher's arreſt, if the *Tappies* were ſtopped? Was not Mr. Secretary Sulivan *ordered* to *ſtop* the *Tappies* accordingly? And did not Mr. Secretary Sulivan declare he would *ſend* aſſiſtants to the Adjutant-General to expedite the iſſue of the orders abovementioned?

* Colonel Stuart in his report (vide before p. 82.) ſays, " I was ſummoned to " attend Council that evening;" and in his ſecond report (p. 84.) " about five " in the afternoon I received a note from the Sub-Secretary, Mr. Baine, de- " ſiring my attendance on Council at ſix o'clock;" and yet Colonel Stuart ſays he had *no previous notice*.—Vide his letter in the morning, deſiring communication of the Records, p. 76. Let the world then judge of the *veracity* of *this declaration!*

" fifty perſons, including the parties at that very moment poſted on " the road to the Garden-houſe under the Adjutant-general, and Cap- " tain Lyſaught; the commanding officer of the artillery at the Mount, " had alſo orders to receive him; the Commandant of the Fort had " likewiſe agreed to receive my orders on every emergency; Lord " Pigot's chaiſe was at the door; what then was for me to do, at that " moſt critical period? Had I bluntly contradicted their aſſertions, " with regard to their *legal powers*, or in direct terms refuſed to obey, " the Settlement muſt have been involved, *together with myſelf* and the " *gentlemen* who OBEYED MY ORDERS from a ſenſe of their duty, in " ſcenes of the greateſt horror: for Lord Pigot, as was natural to ſup- " poſe, was reſolved to have *remained* in the Fort, and to have exerted " EVERY AUTHORITY GIVEN HIM by HIS MILITARY COMMISSION; " and I was EQUALLY RESOLVED TO HAVE CARRIED HIM BY FORCE " FROM THENCE TO THE MOUNT, at the riſk of falling in the attempt. " What other line could a man of common prudence or humanity fol- " low, than that which I did, viz. neither aſſerting nor denying their " propoſitions, but appearing, as I really did, paſſive on the occaſion*. " It was a trial of ſkill, which laſted at leaſt three quarters of an hour. " Inſtead of ſelf-condemnation, the retroſpect of the part I acted at " that time affords me the greateſt ſatisfaction, becauſe, under Provi- " dence, to that is owing, what the annals of hiſtory will not produce, " viz. ſo univerſal a change being brought about ſo ſuddenly and " without any individual being hurt in his perſon."

Mr. Andrew Stuart, p. 30, gives the authority he has " for con- " tradicting the aſſertions, not only with reſpect to Colonel Stuart's " intruding himſelf upon Lord Pigot at his convivial hours, but alſo " as to his being on terms of intimacy or friendſhip with his Lordſhip " about

* Tappies.

" about the time of the arreſt," viz. a paragraph of a letter from Colonel Stuart of ſo old a date as 13th December 1776: It is in theſe words:

" It has likewiſe been given out by my enemies, that I was at the " time in the greateſt habits of intimacy with him (Lord Pigot), and " approved of his meaſures. The fact is directly the contrary; for " we had *not* been on *ſpeaking terms* * for a very conſiderable time " before, and I had not dined at his houſe from the latter end of " June until the 24th of Auguſt; that he aſked me to dine, as is " *uſually* the *caſe* when *any one breakfaſts* with the *Governor*, and the " *occaſion* of *my breakfaſting* † was the *delivering a letter* of which I " ſent you a copy."

Mr. Andrew Stuart, for the purpoſe of refuting what he calls " the " very unjuſt imputation endeavoured to be fixed upon Col. Stuart's " character, by thoſe who pretended to believe, or attempted to per- " ſuade others, that in the moment of the arreſt, Colonel Stuart, by " his expreſſions and manner, had behaved harſhly and even brutally " to Lord Pigot," quotes (p. 34) a paragraph in a letter from Col. " Stuart, dated 14 September, 1777, in theſe words:

" When the Adjutant General ſtopped the chaiſe, in which I was " along with Lord Pigot, he (Lord Pigot) *made a ſhort pauſe*, and was " *looking about him*; we were then in the middle of the road, at a very

* There had been no *quarrel* between Lord Pigot and Colonel Stuart; it is true he had totally eſtranged himſelf from Lord Pigot.

† Vide Lord Pigot's account of Colonel Stuart's meſſage by the Colonel's ne- phew, Mr. Baſil Cochran (p. 76.) Col. Stuart's *breakfaſting* with Lord Pigot, that he might *deliver* a *letter* from *himſelf*, is an *Iriſh errand*.

" ſmall

" ſmall diſtance from the Sepoy-guard at his garden-houſe, and many " ſervants round the chaiſe, and many people paſſing in the road.— " The *moment* was *critical*, not only becauſe the leaſt noiſe extraordi- " nary would have alarmed, but what is particular, *as the reins were* " *in his hands*, and *the horſes very ſpirited*, he might have *forced them* " on, in ſpight of me, and the CERTAIN CONSEQUENCE would have " been his getting home; and MYSELF, with ALL the OFFICERS or " *others*, who, with ME, thought it our duty, to obey the Majority as " the legal government, muſt have been *diſmiſſed* the ſervice, or TRIED " for our LIVES. This led me, on obſerving a kind of *heſitation* to " *obey* on the part of Lord Pigot, forthwith to *ſeize* the *reins* with one " hand, and PUT my other HAND TO HIS ARM: to the *beſt* of my *recol-* " *lection*, the preciſe words I made uſe of were, " My Lord, you muſt " go out." They were uttered, not in a brutal or contemptuous tone " of voice, but with the tone of *reſpect* * as well as *anxiety*.—Lord " Pigot then inſtantly went out, without *my ſaying one word more*, or " his making any anſwer."

Mr. Andrew Stuart (p. 35) ſays, in another letter wrote by Col. Stuart from Tanjour in May 1777. there are the following paragraphs on the ſubject of Lord Pigot's arreſt.

" I choſe

* When the public conſider the ſituation Colonel Stuart was in, they will judge of the likelihood of his *teſtifying reſpect*: As for the *preciſe* words he uſed, it will ſcarcely be thought that the utmoſt attention, which Colonel Stuart himſelf could deſire might be paid, to his *veracity*, would *prefer* his *beſt recollection* at a *year's end*, to Lord Pigot's *next day*. What Colonel Stuart expreſſes by the little word PUT Lord Pigot calls *ſeizing*. The Colonel gives the *lie direct!* to his Friend Mr. Capper's *Oration*, vol. 2, p. 336.

" I choſe to *obey*, what I judged from *common ſenſe*,§ and what the " Governor General and Council has ſince *eſtabliſhed* to *be*, the *only legal* " government †. I have ſaid that it was at a great riſque that I did this; becauſe every thing that has happened to me would have " come to me in courſe, and by the Company's orders, without " any riſque at all, had I feigned ſickneſs, or remained an unconcern- " ed ſpectator ‡; but in truth I loſt my health, and gained *nothing* " *in other reſpects* by *the change* ||, except the ſatisfaction of hav- " ing done my duty; and thereby, I hope, deterred others from " *innovating* or *overturning* the *eſtabliſhed law* or *conſtitution* of go- " vernment.

" I know the perſonal reflections of my enemies upon the occaſion; " but it can never be ſaid that perſonal fear or apprehenſion induced me " (under the appearance of going to his, Lord Pigot's, country-houſe) " to

§ I will leave the public to judge, whether Colonel Stuart's immediately declaring Mr. Stratton *Governor*, is not an incontrovertible teſtimony, that he did *not think* a majority of Council, without the Governor, was the *government*: if he had thought the *powers* of *government* were veſted in the *majority*, would not *common ſenſe* have told him to continue acting under that *majority*.

† The Governor-General and Council of Bengal had no authority to *eſtabliſh* the Government at Madraſs: The Company, who were competent to decide, have declared the tranſaction a *total ſubverſion* of the *legal government*; and declare the conſpirators, under whom Col. Stuart acted, " to have *uſurped* the government."

‡ Mr. Andrew Stuart ſays he *could not have remained* an idle ſpectator.— A *Kingdom divided againſt itſelf cannot ſtand*.

|| Credat Judeus!

" to have a place in the chaiſe with him, and to make that an eſſen-
" tial part of my plan; I obſerve, that as that cannot be aſſerted with
" reſpect to me, who had the army under my abſolute command,*
" and who had actually given my orders to *take him* by FORCE *from*
" *the Fort*, or wherever he was †, had no opportunity offered of my
" going in the chaiſe with him, the unprejudiced public, in judging
" of this act, will, I hope, therefore, do me the juſtice to infer, that
" it was from motives of humanity, to prevent bloodſhed and public
" diſaſter, and for the perſonal ſafety of Lord Pigot."

I have here brought together the whole of the teſtimony given by Lord Pigot, and by Col. Stuart, concerning the violent act whereby the *legal government* was, in the Company's very words, " TOTALLY SUB-
" VERTED, by ſeizing and impriſoning the perſon of their Governor by a
" military force!" Let us now return to Mr. Andrew Stuart's letter.

Mr. A. Stuart mentions, p. 8, " diſapprobation which has been
" *expreſſed* by the *India Company* of Lord Pigot's *conduct* in *ſuſpending*
" the

* Vide Col. Stuart's own account before p. 94 where he expreſſes his apprehenſion of Lord Pigot's getting to the Fort and bringing him and the other conſpirators to *trial*.

† Lord Pigot told me, he was afterwards informed they had laid their plan for ſeizing him at Mr. Bromley's country-houſe, or in the way thither. His Lordſhip being engaged to give away Miſs Debonaire in marriage to Major Smith, who, Lord Pigot alſo told me, he was informed received a ſum of money from the Nabob on the occaſion. Lord Pigot did not go to the wedding, but ſent an excuſe.

" the *majority* of Council;" but although I have examined the records with the utmoſt attention, I cannot find the Company have any where *expreſſed their diſapprobation* of *this part* of Lord Pigot's conduct. In their letter to his Lordſhip they ſay, " it appears to us that your
" Lordſhip's conduct, as Preſident of our Council, is reprehenſible
" in ſeveral inſtances;" but what thoſe inſtances are they no where explain.

Mr. A. Stuart alleges, p. 9, that he is " well warranted to ſay the
" outcry and indignation, both againſt Lord Pigot and Col. Stuart,
" would have been more general and better founded, in caſe Lord
" Pigot's *new government* had been eſtabliſhed by the aſſiſtance of Col.
" Stuart!" I think I am *well warranted* to *doubt* the poſition. The outcry and indignation againſt Lord Pigot would probably not have been either violent or general; the impartial world would have thought thoſe men, who refuſed to await the deciſion of their maſters, merited their fate; and that the outcry would have been better founded with reſpect to Col. Stuart, I will venture to deny. Mr. A. Stuart's epithet, NEW *government*, applied to Lord Pigot's adminiſtration, is a little unhappy, as Lord Pigot was the *Governor appointed by the Company*, who had *reſerved* to *themſelves* ALONE the *power* of *removing Him*, and had eſtabliſhed the number of his Council; but it was a matter of very little conſequence to the community, of what *names* this Council was formed; whenever by vacancies the number was reduced below the uſual eſtabliſhment, thoſe vacancies in Council were to be filled up by the Company's ſervants next in ſeniority. The ſenſe of the Company is clear and decided; they call the revolution at Madraſs " a *total ſubverſion* of the *legal government*," and denominate Mr. Stratton, &c. *uſurpers*. This diſapprobation could not have been expreſſed in *ſtronger terms*, had Colonel Stuart given his aſſiſtance to Lord Pigot in the moſt violent meaſures he is ſuppoſed by his enemies

 capable

capable of, though no part of his Lordſhip's conduct in any degree warrants the imputation. But ſays Mr. Andrew Stuart, p. 7, which ever party got the aſcendancy, Col. Stuart was *expoſed* to a *trial* by a *court martial* for diſobedience of *orders*, had he refuſed the command of the army! As on "the ſame day that the *majority* of *Council* and "*Commander in chief* ſigned the order to Col. Stuart, there was an "OFFER to him of the *command* of the *army* from Lord Pigot and his "Lordſhip's friends in Council."

To call a *general order*, ſigned by the *Secretary*, and iſſued in the name of the *Preſident and Council, ordering* Colonel Stuart to take upon him the command of the troops, in conſequence of their having ordered Sir Robert Fletcher into arreſt; to call, I ſay, *this order* of the Preſident and Council, ſigned in their name by their Secretary, and delivered to Colonel Stuart in perſon by the Town-Adjutant, in preſence of the Town Major, at Sir Robert Fletcher's houſe, "an *offer* from Lord Pigot and his Lord-"ſhip's friends in Council of the *command* of the *army* to Colonel "Stuart," is a perverſion of language! But to conſtrue this *order* to Colonel Stuart, to be giving *him* an ABSOLUTE UNLIMITED COMMAND of the ARMY, as Mr. Andrew Stuart calls it, is aſtoniſhing beyond meaſure! The only *authority* given, by *this order*, to Col. Stuart, was the *authority* from which Sir Robert Fletcher had been removed by his arreſt: which arreſt did not imply *diſmiſſion*, *that* depended on ſentence of a court martial: and if Colonel Stuart had not taken an active part in the *ſubverſion* of the *legal government*, the ſentence of a court martial would have eſtabliſhed, as far as the opinion of the officers compoſing that court martial could eſtabliſh, what was the *legal authority*, without commotion in the ſettlement; and if the authority Col. Stuart diſobeyed had no right to give ſuch orders, what had Col. Stuart to fear from his brother officers on a trial?

Mr.

Mr. Andrew Stuart, p. 6, tells us, "the written order of 23d "Auguſt 1776 to Colonel Stuart, for putting the *majority* of Council "in poſſeſſion of the Fort, and for arreſting the perſon of Lord "Pigot, was *ſigned* by *ſeven* members of the Council, which conſti-"tuted an *unqueſtionable majority*, and *one* of thoſe members who "ſigned that order was the *Commander in Chief*, Sir Robert Fletcher." he adds, "at the time when Colonel Stuart received this order, he "had no *ſeat* or *vote* in Council, no deliberative voice; his *duty* was "*that* of *obedience* only to his *lawful ſuperiors*, civil and military."

As Col. Stuart knew that Meſſrs. Stratton and Brooke had been *ſuſpended* from the Company's ſervice by the Preſident and Council; as this had been notified by the ſecretary, in the name of the Preſident and Council, his *only lawful* ſuperiors, and publiſhed in general orders, he could not conſider the order he received for arreſting Lord Pigot as an order of the Majority of Council, unleſs he took *upon himſelf* to *judge* of the *propriety* of the *proceedings in Council*, which he was debarred from, by his own declaration *; that the military ſervice "could not "poſſibly be carried on for the good of the community, if *nice points* "of *Political Government*, or *reaſons* of *ſtate*, or the *conſtructive ſenſe* "of *words*, were to be left to the *private opinions* or *deciſions* of military "officers, before they executed the orders of their ſuperiors." The Company's commiſſion of government had declared that Lord Pigot was to *continue* in the *exerciſe* of his office, as Preſident and Governor, till the contrary ſhould be ſignified by the Company. Every officer was ordered by the military regulations to obey *all* orders iſſued by the ſecretary in the name of the Preſident and Council. Here the plain path was chalked out for Colonel Stuart! Some violent illegal orders of Lord Pigot muſt have made his mind revolt from what he ſo expreſsly declares to

* Col. Stuart's *Defence*. Printed for T. Cadell, Nov. 1778. P. 39.

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to be the duty of an officer? Can it be believed that no order was iſſued by Lord Pigot that could wound the *tendereſt conſcience!*

The impropriety of an officer judging for himſelf what is *A Majority* of Council, muſt be further notorious, when it is conſidered that there were at this time *many members* abſent from the Preſidency; whenever a chief of a ſubordinate ſettlement comes up to the Preſidency, he immediately takes a part in the functions of Council; Mr. Lathom was lately arrived from Cuddalore; Colonel Stuart could not poſitively know that other members had *not arrived* and taken their ſeats at the Council Board. Lord Pigot had ſome time before deſired all the abſent members might be called up to the Preſidency, that it might appear whether a majority of his whole Council concurred in opinion with him on the political affairs of the coaſt, or in the opinjon of the majority of the members then preſent; and although the members of the majority had refuſed this juſt and reaſonable requeſt, Colonel Stuart was not to be acquainted with the reſolutions of Council. Mr. Lathom's arrival made the members who ſigned the order no longer a majority; and had the other abſent members been alſo on the ſpot, the number of members, who did not ſign the order, was greater than the number of thoſe perſons who ſigned it, even including Meſſrs. Stratton and Brooke; and, indeed, *all* the *abſent* members had as much right to give an opinion as Sir Robert Fletcher, who had been *abſent* from the Council in which Stratton and Brooke were ſuſpended. It is, perhaps, unneceſſary to repeat, that *Lord Pigot*, and *not* Sir Robert Fletcher, was Colonel Stuart's *Commander* in *Chief*; and that the very order itſelf declared, *They* had FORMED THEMSELVES into A COUNCIL.

Mr. Andrew Stuart alleges Colonel Stuart "was reduced to this alternative, that he muſt either give *ſupport* to the *Government* of LORD PIGOT, to the prejudice of ALL the *ſuſpended members* of the majority, "and

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and to the *prejudice* of HIS *Commander in Chief*, THEN *ordered* under arreſt, and ABOUT TO BE TRIED FOR HIS LIFE; or he muſt *obey* the *joint orders* of the *Commander in Chief* and the *Majority* of Council.'

It has been proved, I preſume beyond doubt, that *Lord Pigot*, and NO OTHER, was COMMANDER in CHIEF at Madraſs, and conſequently to *Him* ONLY *as ſuch*, and NOT to Sir Robert Fletcher, Colonel Stuart owed *obedience* in Madraſs; and that the order of the Preſident and Council for the ſuſpenſion of Meſſrs. Stratton and Brooke, was notified by the Secretary in general orders to the garriſon, who were directed to *obey* Mr. Ruſſell, as *ſecond* of the Coaſt; *i. e.* Lord Pigot's Deputy: The clauſe in the Commiſſion of Government, declaring that Lord Pigot was to continue in the exerciſe of that authority 'till removed by the Court of Directors under their hands, or the Company's ſeal, Col. Stuart himſelf acknowledges Lord Pigot pointed out to him.—However, as perhaps Mr. Andrew Stuart may ſtill with-hold his conviction; to convince him that *Lord Pigot* ONLY, and NOT Sir Robert Fletcher, was Colonel Stuart's *Commander* in *Chief*, I ſhall now produce what even Mr. Andrew Stuart muſt admit as unexceptionable teſtimony! I mean the authority of Colonel Stuart HIMSELF! in anſwer to General Munro's opinion, that the arreſt of the perſon of Lord Pigot OUT of the GARRISON of Fort St. George, is NOT an OFFENCE that comes under any article of war: Colonel Stuart ſays,*

"It is univerſally known that I arreſted the late Lord Pigot, the "*Governor*, and as ſuch the MILITARY COMMANDER in CHIEF of the "forces compoſing this garriſon, at a place greatly within the guns of "this

* Appendix to his letter to the Preſident and Council of Fort St. George, dated 6th March 1778, part of this is copy of a letter from him of 24th February, but part of the firſt letter is omitted.

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" this fort, and on the fort ſide of his own guard, at the Company's
" Garden houſe, which guard was and is daily relieved from the gar-
" riſon.

" I give it moreover as my opinion that the military definition of a
" Governor's juriſdiction as ſuch (where no proviſion is made to the
" contrary) is the country adjacent to the Fort, and under the range
" of the guns; or, in other words, that within theſe bounds the *Go-*
" *vernor* is to be *conſidered* by ALL *Officers* as the *Military* COMMANDER
" IN CHIEF of the *garriſon* of Fort St. George, and its dependencies,
" as *expreſſed* in HIS MILITARY COMMISSION from the Company. I
" am the more confirmed in the juſtneſs of the definition already men-
" tioned, by the *uniform opinion* and *practice* in *this ſettlement*, to conſi-
" der that the ground lying betwixt the Bridges and even much be-
" yond the Governor's country-houſe comes under the preceding de-
" ſcription*.

He then gives a deſcription of the ſpot where he ſeized his *Governor* and *Commander in Chief*, and continues

" To ſuppoſe that the late Lord Pigot was NOT THEN and THERE
" the *Governor* and MILITARY COMMANDER IN CHIEF of all the troops
" which Government had appointed for the garriſon of this fortreſs,
" and *whoſe authority* is ſo CLEARLY DEFINED, both by the *Commiſſion*
" as GOVERNOR, and by *the Company's inſtructions* of 1774 would infer,
" in my humble opinion, this *very extraordinary poſition*; that the Go-
" vernor

* In his letter of 24th February he adds, "I ſay in *that caſe*, as Lord Pigot
" was, at the TIME and PLACE, the SUPERIOR MILITARY OFFICER, therefore
" I may be charged with having BEGUN, EXCITED, and CAUSED MUTINY, in
" terms of the firſt article of war, p. 7 and 9, and *puniſhed* accordingly, unleſs
" I can vindicate my conduct."

" vernor of Fort St. George, when he takes an airing, or walks out
" beyond the Glacis, either for health or duty, *loſes* his *right* to *give*
" *orders* to *any part* of HIS OWN GARRISON, not even when he thinks
" fit to inſpect their barracks; it would infer that the Governor ſitting
" in the country houſe alotted by the Company for him, where I be-
" lieve the greater part of his time is ſpent, could not there locally
" act in a military capacity, as has been *univerſally* the *practice*, as well
" as in my idea, the *clear right of the Governor*.

" Had the Court of Enquiry been permitted to have ſat, it would
" have appeared *that part* of the *garriſon* who were *aiding* in the *arreſt*
" of *Lord Pigot*, had *been put under arms* by *my orders*, and therefore
" that act comes under the deſcription of an article of war, even al-
" though the late Lord Pigot had been *beyond his garriſon*; and I
" might have SUFFERED in conſequence if I had *failed* in *proving* it was
" MY DUTY SO TO DO."

Theſe extracts I muſt refer to Mr. Andrew Stuart to ſophiſticate if he can.

When attention is paid to the circumſtances of the caſe, as before ſtated, it will, however, be found that Sir Robert Fletcher was not THEN *under arreſt*, nor Meſſrs. Floyer, Palmer, Jourdan, and Mackay *ſuſpended*, when Colonel Stuart *received* the *order*, under which he pretends to have acted, when he ſeized HIS *Governor* and COMMANDER IN CHIEF; for this order is dated at THREE o'clock, and the notification of their letter being ſent to the Town Major, &c. was not made to Lord Pigot till about FOUR o'clock, after which the Council met, the notary public was ſent for and examined, and a conſiderable time paſt in Council before the reſolution was taken to put Sir Robert *under arreſt*, and to *ſuſpend* the other members.

If

It appearing, upon a fair and full ſtate of facts, that Colonel Stuart was NOT in the *ſituation* his brother has deſcribed; the whole fabrick therefore drops to the ground, and we might leave the learned gentleman till he has wove a new web of ſophiſtry! But although it would be uſeleſs to examine Mr. Andrew Stuart's poſitions minutely, ſince the whole of his argument is thus grounded on a falſe aſſumption, I will indulge myſelf in a few curſory remarks.

In the plenitude of his candour he ſays, p. 39, "the general letter "of the Company, ſent by the Beſborough in July 1777, continued "Colonel Stuart's ſuſpenſion, and directed that his conduct ſhould be "examined into by a court of inquiry, and that he ſhould be tried by "a court martial; *but in caſe he had been guilty* of no *military offence* "that *was cognizable by martial law*, then it was ordered that his *ſuſ-"penſion* from the *ſervice*, INSTEAD of BEING TAKEN OFF, as one "might reaſonably expect, *ſhould be continued indefinitely*, and without "limitation of time. SUCH ARE the DIRECTIONS which have *been "ſent* from *this country* with reſpect to Col. Stuart."

But on reference to this letter by the Beſborough, dated 4th July 1777, I find in

Par. 52. A court of enquiry is ordered to examine into the conduct of Colonel James Stuart, Lieutenant-Colonel Edington, Major Horne and Capt. Lyſaught, "during the late troubles, and that they "each of them be tried by a court martial, ſo ſoon as a court of enquiry ſhall have aſcertained the facts, and prepared the charges "upon which ſuch trials are to be founded.

Par. 53. "But notwithſtanding our foregoing orders for appointing "a court of enquiry into the conduct of Col. Stuart, preparatory to "his trial by a court martial, yet from the *nature* of *his offence*, we "are NOT CERTAIN whether it comes under any of the articles of "war,

"war, or that he can be tried by martial law, in *that caſe* we direct, "in ORDER TO SHEW OUR DISAPPROBATION OF HIS CONDUCT in AR-"RESTING AND IMPRISONING THE PERSON *of* OUR PRESIDENT and "GOVERNOR, his ſuſpenſion from our ſervice be continued, and that "he be ordered to return to England by the firſt proper conveyance."

Mr. Andrew Stuart aſks, p. 38, "what *crime* has Colonel Stuart "been guilty of towards his Honourable employers?" he adds, p. 39, "the only caſe that was at all in contemplation, or provided for, "was that of his being *guilty* and *deſerving puniſhment*;" but "no care "whatſoever was taken of him, in the event, that, upon *inquiry* or "*trial*, he ſhould be found to have been INNOCENT."

The Company's letter of the 4th July 1777 places this in ſo clear a light, that one can hardly conceive it poſſible to be miſunderſtood; the Company had not left their GOVERNOR at the *diſpoſal* of his *inferiors*; they had reſerved to *themſelves* ALONE the power of REMOVING, or even *cenſuring* this *Governor*; the Company therefore knew that Col. Stuart, who had *removed* and *impriſoned* their *Governor*, could NOT be INNOCENT; and therefore, leſt he ſhould, by any quirk of law, *eſcape* the military puniſhment he merited, they direct in ſuch caſe, to teſtify their *diſapprobation* of his conduct, that *his ſuſpenſion* ſhould be *continued*, and he *be ordered* to return to England.

Mr. Andrew Stuart ſays, "it became proper for his brother to "conſider, what the *poſſible* or *probable* conſequences might be to the "Company's ſettlement, in caſe *he* ſhould *obey* Lord Pigot and the "minority in preference to the majority of Council and COMMANDER "IN CHIEF." This is not a juſt mode of ſtating it; the concluſion ought to be, "in caſe *he* ſhould *obey* the *order* of the *Preſident* "and *Council*, notified in *due form* by the *Secretary*, in preference to "Sir Robert Fletcher, who was indeed his ſenior officer, but not HIS

" *Commander in Chief*, and men, *ſome* of whom he knew, by the *Se-*
" *cretary*'s public notification in the *name* of the *Preſident* and *Council*,
" were *ſuſpended* the Company's ſervice, and conſequently diveſted of
" all authority; and ALL of *them* declaring *themſelves* to be a *ſelf-*
" *formed Council*."

" He aſks, " is it probable that Sir Robert Fletcher, known to
" have been of a diſpoſition neither *timid* nor indolent, and who was
" *drove* to the *neceſſity* of making ſome *exertion* for his *own ſafety* to
" RESCUE HIMSELF from HIS IMPENDING FATE! that he would have
" tamely and placidly acquieſced in the eſtabliſhment of Lord Pigot
" and the minority, and in his own ſuperceſſion and TRIAL by a court
" martial, even ſuppoſing that Colonel Stuart had given his ſupport
" to Lord Pigot?

" Or is it probable that all the gentlemen of the ſuſpended majority
" would have placidly and tamely acquieſced in that *new* government
" and in their own ſuſpenſion, degradation and diſgrace, without
" making ſome efforts to preſerve *their rights* and their conſequence
" in the important ſettlement of Madraſs."

He then paints an imaginary ſcene of civil war, which, in his opinion, would probably have enſued, had Colonel Stuart ſupported Lord Pigot's government.

Mr. Andrew Stuart ſeems to have forgot that theſe arguments are much ſtronger when applied to Lord Pigot, who he himſelf acknowledges, p. 18, " as Governor of the Fort, had a *right* to *command* in
" the *Garriſon*," and to his friends who were deprived of their offices and conſequence in the important ſettlement of Madraſs, without *law* or *juſtice*, and without *even* the *forms* of either. If he will admit that Colonel Stuart was ſo ſenſible of the moderation of Lord Pigot and his friends, that he was convinced they would not involve the public

public affairs in any confuſion to obtain juſtice to themſelves. He urges but a poor apology for taking the government from men of ſuch temper and moderation, to throw it into the hands of others, *ſo violent*, as in his judgement to be capable of throwing every thing into the utmoſt confuſion, to ſatisfy their own revenge, by the ſacrifice of every public intereſt: But Colonel Stuart, by his own account, ſeems to have been under no apprehenſions of a Civil War! His *fears** are for *his own perſonal ſafety*, and that of his brother conſpirators, who, he concludes, would have been *diſmiſſed* the *ſervice*, or *tried* by *Court-Martial*, in caſe Lord Pigot had not been ſeized: This is a very different idea from a Civil War!

The allegation that Sir Robert Fletcher " was *drove* to the *neceſſity* of making ſome *exertion* for *his own ſafety*, to RESCUE HIMSELF from HIS IMPENDING FATE! I will not diſpute: But what was the danger He was expoſed to? A TRIAL by *his Peers!* If he had been guilty of no military offence, *his life* could have been in *no danger*; and his trial would have, judicially, given the officers an opportunity of inveſtigating the claims of authority. Sometimes we are told Sir Robert's *circulating* the proteſt *in garriſon* was a mere civil act; ſometimes again that Sir Robert was acting in his military capacity: If it was a *Civil act* ONLY, the ſentence of a Court-Martial could have inflicted no puniſhment on Sir Robert; if it was a Military act warranted by authority, the ſentiment of a Court-Martial would have confirmed that authority to Sir Robert's honour, and to the opprobrium of his proſecutors: But if it was deemed a *Military Offence!* exciting *Mutiny*, being puniſhable with DEATH! Sir Robert was indeed *drove* to the *neceſſity* of an exertion to " RESCUE HIMSELF from HIS IMPENDING FATE!" or to *ſuffer* that *puniſhment*, which his Peers ſhould deem *adequate* to *his crime*.

If

* Vide Page 94.

If Mr. Andrew Stuart will conſider all circumſtances, he muſt perceive that the chance of Lord Pigot receiving *ſome intimation* of the *conſpiracy* before he left *his Fort*, was as a *thouſand* to *one*: Indeed that he *did not*, was only owing to its being ſuppoſed *he knew*, what *he did not ſuſpect*.

If my propoſitionn of calling all the officers before Council on the 23d Auguſt, to explain to them the Commiſſion of Government and the orders of the Company, had not been rejected, as making the *Proteſt* of *too much conſequence*:

If Lord Pigot had attended to the Town Major's account of Col. Stuart's behaviour, when the Town Adjutant delivered him the order of his being appointed to the command in conſequence of Sir Robert Fletcher's arreſt, his ambiguous declaration in the conſultation room, about the Adjutant General not being in the Garriſon, would have given the alarm, and the *plot* would have been *diſcovered*.

If Lord Pigot had *not taken* Col. Stuart with him in *his chaiſe**, if his Lordſhip had even *whipped* his horſes and *puſhed back* to the *Fort*, as Col. Stuart ſays he might have done, or if he had taken the advice of

* Lord Pigot had brought me in from the garden houſe in his chaiſe, ſo that I had no conveyance to return thither, but walked out with Mr. Ruſſel; as Lord Pigot was going down ſtairs, The Nabob's ſon in law met his Lordſhip, and preſſed to have ſome converſation with him, he returned to the Conſultation Room without Col. Stuart: It once came into my thought to have propoſed, that Mr. Ruſſell, or I, ſhould have gone out with Col. Stuart, and ſent the chaiſe back for Lord Pigot and the other: When Lord Pigot went down to the gate where the chaiſe was, Col. Stuart was miſſing; but on Lord Pigot calling his name he came forth, Lord Pigot afterwards mentioned that he imagined Col. Stuart had ſuppoſed the plot had been diſcovered by this viſitor, and had concealed himſelf, 'till his apprehenſion was removed by his Lordſhip calling to him.

of the Black People,† and not expoſed his perſon without a guard, Col. Stuart's *treachery* might have been ineffectual.

If Mr. Ruſſell, whom Mr. Andrew Stuart is pleaſed to repreſent as *one* of the *Civil Counſellors* of Lord Pigot's *party*, although Mr. Ruſſell had been, in due form, declared in publick military orders, ſigned by the Secretary in the name of the Preſident and Council, "SECOND of the coaſt and to be OBEYED accordingly". I ſay, if Mr. Ruſſell had been in the *Fort*, and had ſhut the gates againſt Col. Stuart, or,

Had Col. Stuart *not done*, what no power in India could *authoriſe* him to *do*, not even *his Maſters*, THE COMPANY; I mean to IMPRISON Lord Pigot; Let Mr. Andrew Stuart conſider what would have been the conſequences! if his brother, Col. Stuart, had perſiſted in his attempt to ſeize the *Fort*.

Mr. Stuart totally miſunderſtands the nature of the Company's ſervice: The *Counſellors* are not *merely civil*, they are component parts of the *Military Government*, and individually receive *military ſalutes* from the *guards*. The ſenior *civil ſervant* is always the Governor's *Locum Tenens*, and was known and acknowledged to be ſuch by every officer in garriſon. As I was very ſeldom accompanied with any inſignia of office, I was ſeldom ſaluted; but for ſome time after Lord Pigot's impriſonment, ſalutes were conſtantly paid at my entering the gate, which teſtified without ambiguity the ſentiments of the ſoldiers.

Mr. Andrew Stuart ſays, p. 62, "if it could be ſuppoſed that the "weight of the civil authority was ſo *equally poized* as to produce doubts

E e on

† That very afternoon, as Lord Pigot and I were walking to the garden houſe, his Lordſhip mentioned that the Black People had been cautioning him againſt expoſing his perſon, as he did, without a guard; his Lordſhip applied this to *aſſaſſination* and not to any *treachery*; his mind was not formed to fear.

" on which ſide it preponderated, can it be a matter either of won-
" der or of blame, that a military man, formed by *his education* to
" OBEY rather then to INVESTIGATE, ſhould allow on ſo even a bal-
" lance, and in a diſcuſſion of ſo much nicety, the *concurring com-*
" *mands* of *his ſuperior* officer to turn the ſcale."

Here then let us reſt the concluſion!*

Col. Stuart on 23d Auguſt receives the *order* from the *conſpirators*
P. 83, l. 6, and note. to ſeize the *Fort*, " he *forthwith* formed the plan of putting the Fort into
9. their poſſeſſion;" The order from the conſpirators directs him to ſeize
the perſon of Lord Pigot if neceſſary: He determines for himſelf that
17. *it was neceſſary*, and took meaſures to *ſeize him in his own Fort:* He
then receives the order from the Preſident and Council of Sir Robert
Fletcher's arreſt, and his *own* appointment to the *command*; receives
21. the *general orders without objection*; attends the Governor Lord
laſt. Pigot; preſſes to ſee the *records*; ſups with him *familiarly* and *ſocially*;
22. ſtipulating that no buſineſs ſhould be talked of; Next morning *break-*
P. 84, l. 4. *faſts with the Governor*; delivers a letter expreſſing a wiſh to be al-
7. lowed *that day* to peruſe the conſultations, to enable him " *to act*
12. " *from information*, ſo as to *do his duty* to his employers, according
P. 77, l. 2. " to his *oath of fidelity*, for the publick ſervice and with *honour* to
9. " *himſelf*." Expreſſing that " he truſted Lord Pigot would be
12. " *pleaſed* to *agree to this requeſt*, before he was *called upon* to *execute* any
P. 84, l. 17. " *publick act* by authority." Dines with the Governor†. Ac-
cepts an invitation to ſupper‡. Goes to meet the Governor in

* The following are taken from Col. Stuart's own Declarations, the pages refered to in the margin.

† Brings him a preſent of Cherry Brandy.

‡ Deſires the governor to give him a ſeat in his chaiſe to the Garden Houſe.

in the evening, *after* he had ſettled his *plan* for *ſeizing him*; ac-
P. 85, l. 12. knowledges Lord Pigot ſhewed him the Company's commiſſion of
government, to *convince him* there was *no power* in the *Council* to
pen. *diſmiſs* or *ſuſpend* the *Governor*; a Commiſſion poſitively declaring,
that Lord Pigot was to continue in the exerciſe of his office, as Preſi-
dent and Governor, till the contrary be ſignified under the hands of
thirteen or more of the Court of Directors, or under the Company's
P. 86, l. 1. ſeal, confeſſes that he *induſtriouſly ſpun out* the converſation to *gain*
time till it was *dark*. Declares, on being urged that it was HIS DUTY
12. to OBEY, " that he *fought off the beſt way he could*," and that Lord Pigot
15. having *agreed* to drive him out in his chaiſe to the Garden Houſe to
ſupper, when the chaiſe was ſtopped by the Adjutant-General, whom
he had placed in ambuſcade with ſome Sepoys, Col. Stuart told his
17. Lordſhip he *muſt go* with Captain Lyſaught;* and thus *ſeized* Lord
P. 101, l. 24. Pigot, whom he himſelf acknowledges was *then* and *there* his GOVERNOR
102, l. 7. note. and MILITARY COMMANDER IN CHIEF.

If Mr. Andrew Stuart can, with all his ingenuity, by any conſtruc-
tion of words, bring theſe declarations of Col. Stuart himſelf, to come
under the deſcription he has given of Col. Stuart as " a military man,
" formed by his education to OBEY rather than to *inveſtigate*," I will
acknowledge the dulneſs of my own comprehenſion, and admit that
Sir Robert Fletcher, the Grand Lama, the Pope or the Pretender,
and NOT LORD PIGOT, was Colonel Stuart's Commanding Officer in
Madraſs.

* Who came up to Lord Pigot with a piſtol in his hand, and told his Lordſhip he was his priſoner.

POSTSCRIPT.

TO remove every poſſible ground of doubt whether the foregoing is a fair ſtate of the cauſes aſſigned for the *total ſubverſion* of the *legal Government* at Fort St. George, and for *impriſoning* the *Governor* Lord Pigot; I ſhall here give the publick declaration of the *Uſurpers* themſelves, which they call a

"PROCLAMATION.

" IN the name of his Majeſty, and the Engliſh nation, from whom " are derived the authorities and powers of the Honourable Eaſt India " Company, our conſtituents, We, the ſubſcribing members of their " government of Fort St. George and its dependencies, *compoſing a ma-* " *jority* of the *members* of the ſaid *government*, and *therefore by law, and* " *the expreſs orders of the Company, being virtually the government*, iſſue " the following proclamation:

" Whereas the Right Honourable Lord Pigot, Preſident, and Claud " Ruſſel, Alexander Dalrymple, and John Maxwell Stone, Eſquires,* " members

* In their *proclamation*, as they call it, immediately after their *whereas*, they tack us to Lord Pigot, as having by *various arbitrary* and *illegal* acts *attempted* to *ſuperſede* in *them* the authority of the Company, which, they ſay, " can be *demon-* " *ſtrated* to every individual, by the following meaſures, which *they* have *attempted* " to *execute*," and then, when they come to their ſpecification, their whole charge is againſt Lord Pigot, and no part againſt us.

1. That

" members of *our* Council, have by various arbitrary and illegal acts, " attempted to ſuperſede in us the authority of the Company, and to " aſſume to themſelves the powers of this government, contrary to law " and the orders of the Company, which can be demonſtrated to every " individual by the following meaſures which they have attempted to " execute, and which are entered on the records of the Company.

" Firſt, That the Preſident *has expreſsly maintained*, that he *would* " *not put queſtions*† moved by the members of the majority *if he did not* " *chuſe to do ſo*; that he *had a right to adjourn the Council contrary to the* " *opinion of the majority*, as well as *that, by putting a negative to any reſo-* " *lution* of a majority, *he can ſtop the execution* of ſuch reſolution. A " ſyſtem which proves to the meaneſt capacity, that it is replete with " the greateſt dangers to the community, and expreſsly contrary to the " conſtitution of a government veſted in the hands of *more than one* " *member*. Thus, if an enemy invaded this ſettlement, and that Pre- " ſident

1. That he had maintained, he would not put *queſtions* moved by the members of the majority, if he did not chuſe to do ſo.

2. That he had a right to adjourn the Council contrary to the opinion of the majority.

3. That, by putting a negative to any reſolution of a majority, he can ſtop the execution of ſuch reſolution.

† The objection, concerning Lord Pigot's refuſing to put a queſtion to the vote, requires explanation. The eſtabliſhed cuſtom of the ſervice, confirmed by the Company's orders, and the recent reſolutions of the Council, when a public advertiſement was affixed to the gates to that effect, many of the perſons who ſign the *proclamation* concurring therein, confine all intercourſe with the country powers to the Preſident. Not long before our arrival this order was enforced: forbidding viſits to the Nabob, &c. without the Preſident's leave; and the Governor General and Council in Bengal, to whom the matter had been referred by Mr. Wynch and his Council, declared the prohibition was conformable to the Company's orders and the former practice. On Lord Pigot's arrival, finding

 ſpies

" ſident choſe to oppoſe preparations for the public defence, it is evi-
" dent, that the loſs of the ſettlement might attend ſuch powers in the hands

ſpies had been kept on the Nabob, to bring account of every thing he ſaid, his Lordſhip informed the Nabob, that he had removed all theſe, and would not reſtrain any body from viſiting him. When Lord Pigot found, that the proceedings at the Board were *communicated to the Nabob*, and had good reaſon to believe members of the Council had given the Nabob advice, to obſtruct his Lordſhip in the management of the Company's affairs, he thought it proper to withdraw the general licence; and, on a motion in Council, it paſſed as a reſolution, " that no " member of the Council ſhould viſit or receive viſits from the Nabob or his ſons."

Sir Robert Fletcher was one who voted againſt this reſolution. Some time after he propoſed a motion to reſcind that reſolution, which his Lordſhip refuſed to put, for the reaſons he has aſſigned in the draft of the general letter to the Company, by the Grenville, viz.

" Your Preſident cannot avoid remarking, that, when he refuſed to put Sir " Robert Fletcher's motion for reſcinding the reſolution of the Council of the 17th " of June againſt members of the Council viſiting the Nabob, he took notice, " that it was almoſt the only queſtion, which he would not put; that the reſolu- " tion was entirely conformable to your orders, to ancient uſage, and neceſſary " for good government; that reſcinding the reſolution would be a breach of your " orders, and tend to involve your affairs in difficulties for no reaſon; and, that " *intercourſe* with the *country government* was a privilege, which you had been " pleaſed to veſt in your Preſident ſolely, and therefore was what the Council " could not agitate with propriety.

" Your Preſident, from an attentive conſideration of the commiſſion of govern- " ment, thinks his Council are appointed the better to enable *him* to manage your " affairs. He thinks, that he can do nothing without a majority of his Council; " and he thinks ſo great a deference is due to that majority, as to require the Pre- " ſident to concur with them on ordinary occaſions, but *not in diſobedience to your* " *commands*. On the contrary, he thinks, his duty to the Company obliges him " not

" hands of an ill-diſpoſed Preſident. And further, if ſuch a ſyſtem was " ſupported, and that a *Preſident* veſted with ſuch powers was *de-* " *tected* in ſacrificing the public intereſt to his own, it is clear that no " *meaſure* of *detection* or puniſhment could be carried *againſt him*‡.

" Secondly, It had been reſolved, that Col. Stuart ſhould be ſent " to the command of Tanjour, and inſtructions had been recom- " mended by the Commander in Chief, but the Preſident refuſed to put " the queſtion for their being taken into conſideration. The majority " of the Council, who had before reſolved on the neceſſity of ſending " Colonel

" not to concur with a ſettled majority, who uniformly purſue meaſures ruinous " to your intereſts, and *contrary to your orders*."

It may alſo be obſerved, that if members in a minority can again introduce, when they pleaſe, a matter, which has been carried by a majority, the ſame ſubject may be eternally renewed, and a total ſtop put to all buſineſs. At the ſame time Lord Pigot refuſed to put this queſtion of Sir Robert Fletcher for reſcinding a former reſolution, his Lordſhip offered to put one by Mr. Mackay for reſcinding another reſolution; becauſe *this* did not concern the *Company eſſentially*, but *himſelf*. However Mr. Mackay declined having it put, as the other was refuſed.

‡ They are equally happy in the inſtance they bring of the dangerous tendency of a negative being veſted in the Preſident, and in the manner they expreſs themſelves.

It muſt be left to the proclamators to explain their *paradox* of *detection*. A Preſident is equally amenable to the law with any other perſon; but the puniſhment of a Preſident, in all other caſes, is reſerved by the Court of Directors to themſelves. Whenever *neceſſity* requires an irregular interference, *that neceſſity* muſt be very *clear* and *urgent*; and the interference muſt be the public and temperate act of the community; It requires ſomething more than a hypothetical conjecture, that *Lord Pigot* would have been wanting in the *neceſſary defence* of *Fort St. George* againſt an *enemy*.

" Colonel Stuart, had no other mode left, excepting ſuſpenſion, but " that of entering their opinions in writing; firſt, that they ought to " be then conſidered, and next, that they were proper and full; and " the Preſident refuſing to ſign them, the majority, unwilling to come " to extremities, further gave it as their opinion, in writing, that they " ſhould be ſigned by the Secretary. This, the Preſident ſaid, he thought " would not be a ſufficient authority for the Secretary, and in conſe- " quence, as the Secretary did not ſeem to think it ſufficient, " with the unanimous agreement of the majority, an order to " the Secretary to ſign it *by order of Council* was written, then " copied fair, and when ſigned by Meſſrs. Stratton and Brooke, was " ſnatched by the Preſident out of Mr. Brooke's hands, and the very " ſame inſtant the Preſident pulled out of his pocket a charge " againſt thoſe gentlemen for an intention to ſubvert the government, " and introduce anarchy, by ſigning an order to the Secretary without " the concurrence of the Preſident and Council. It muſt here be " remarked, that as he came from his cloſet prepared, it muſt have " been his intention to ſeize the paper as ſoon as it was ſigned by as " many of the majority as he wanted to get rid of. On this frivolous " charge he moved the ſuſpenſion of thoſe two gentlemen, and by " excluding their votes, and voting himſelf, although he was the " accuſer, by his caſting vote he carried the motion. And that " although it was moved to adjourn the Council previous to his putting " his queſtion, he would not hear it, but proceeded; and as ſoon as he " had effected his deſign he adjourned the Council, although the " members of the majority then ſtaid, and refuſed to conſent to it. An " attempt, which if by law or cuſtom it could have any effect, muſt " have virtually ſuſpended his own authority, his being but part of the " government which he attempted thus to ſupercede: That he iſſued " in public military orders the ſaid illegal attempt as the act of the " Governor

" Governor and Council,† thereby attempting, in violation of every " right and privilege of this conſtitutional government, to aſſume a " perſonal power over the military.

" Thirdly, His having violently attempted to ſupercede the whole " authority of us, and of the Commander in Chief of the army, and " endeavoured to compel obedience from all ſervants civil and military " to himſelf and his aſſociates, as if he and they poſſeſſed legally and " conſtitutionally the authority inveſted by the Royal Charter, and the " orders of the Company, in a majority of the members of the govern- " ment, which majority we the ſubſcribing members virtually and ef- " fectually compoſe.

" For theſe weighty reaſons, no leſs clear than intereſting to every " individual, whether a ſervant of the Company, or under their pro- " tection,* it is hereby *enacted* and *proclaimed*, that George Stratton, Eſq;

† How they could aſſert in this proclamation, " That *he* (Lord Pigot) iſſued in " public military orders the ſaid illegal attempt, as the act of the Governor and " Council," is very aſtoniſhing! Equally ſo is their concluſion, in which are theſe words, " thereby attempting, in *violation* of every *right* and *privilege* of this " conſtitutional government, to *aſſume* a *perſonal power* over the military." Had his Lordſhip iſſued in his own name the orders in garriſon, he certainly would not have exceeded the authority veſted in him by his commiſſion, as Governor of the fort, and Commander in Chief of all the Forces in it; but this order is given, p. 58, ſigned by the Secretary, in the name of the Preſident and Council.

The *third* charge they gloſs over in general terms. Perhaps had they particularly mentioned, that *all* of them had been *ſuſpended* by the Preſident and Council, it might have raiſed doubts, how they could acquire *authority*. They therefore confine their charge to an unſpecified *violent attempt* of *Lord Pigot* to ſuperſede the whole authority of them, in whom it was inveſted by the royal charter and the orders of the Company.

* This ſounds like an *act of Parliament*. Having begun their *proclamation* in the name of *his Majeſty* and the *Engliſh nation*, perhaps they thought it proper to end like King Lords and Commons.

" Eſq. is, according to the orders of the Company, Preſident of the " Council and Governor of Fort St. George; and that the Powers of " Lord Pigot and Meſſrs. Ruſſell, Dalrymple, and Stone, ſtand annul- " led. It is therefore ordered and proclaimed by the authority of the " aforeſaid Preſident, and we the ſubſcribing members of Council, " being the only legal repreſentatives of the Company on this Coaſt, " that all the ſervants civil and military do obey our orders imme- " diately, and every ſervant failing in ſuch duty is held anſwerable by " their commiſſion or ſtation in the ſervice of the Company. And it " is further proclaimed, that all ſervants civil and military ſhall be " indemnified* againſt any oppreſſion or diſadvantages they may have " ſuffered

* Meſſrs. Stratton and Brooke were ſuſpended the 22d of Auguſt in the afternoon. The only buſineſs at the next day's conſultation was to defer the conſideration of their letter.

" Recommendations from the Commander in Chief.

" 1ſt. A ſurgeon's aſſiſtant to Ongole.	Ordered to lie on the table.
" 2dly, A ſerjeant and nine invalid artillery to Ganjam	No conveyance offering to Ganjam, it required no reſolution.
" 3dly, A ſerjeant of artillery from the mount to " be ſent to Mazulapatam to fill the place of a " ſtore-ſerjeant lately deceaſed there.	Ordered accordingly.
" Laſtly, Lieutenant James Johnſtone of the en- " gineers, employed in a ſurvey of the Chica- " cole Circar, be granted leave to come to Ma- " draſs, as ſoon as he had finiſhed the ſurvey of " the Bobilly diſtrict, about which he is now " employed, on account of his having a bad ſtate " of health to the northward, and his deſire of " doing duty at the Preſidency, to acquire a " knowledge of that eſſential part of his profeſ- " ſion, the conſtruction of fortifications.	Ordered accordingly."

" ſuffered or may ſuffer by the uſurped authority of the Right Ho- " nourable Lord Pigot and his aſſociates."*

(Signed) George Stratton,
Henry Brooke,
Robert Fletcher,
Charles Floyer,
Archdale Palmer,
Francis Jourdan,
George Mackay.

Fort St. George,
24 Auguſt, 1776.

" As it is proper that, upon ſo intereſting a ſubject the orders of " the Company ſhould be expreſsly and literally ſet forth, we have di- " rected the following ſtanding orders to be annexed to this procla- " mation.

" Whatever

* Almoſt the firſt act of the *ſelf-made* government was to write letters to Mr. Ruſſell, myſelf, and Mr. Stone; in which they ſay, " The very illegal and un- " conſtitutional conduct you have ſhewn in the ſupport you have given to Lord " Pigot convinces us, that no dependence can be placed on you; and conſidering, " how much the affairs of the Company have ſuffered through theſe means, we " are reduced to the neceſſity of ſuſpending you, and you are accordingly hereby " *ſuſpended* from *the ſervice*" They afterwards wrote a ſimilar letter to Mr. Lathom, who was lately come from Cuddalore, and had attended but one day's Council.

Theſe gentlemen had, a little while before in a minute they gave in, alledged that it was againſt *humanity* and *juſtice* to condemn a man unheard; and in the letter they ſent by the notary public, they had laid it down as a poſition, " that " no conſultation could be legal where all the members were not ſummoned." However none of us were ever ſummoned by them to attend any Council. Their conſultations were indeed of a different nature; that regulation, of ſummoning all the members, is in the Company's commiſſion of government, from which they could derive no authority, as it expreſly ſays, Lord Pigot was to remain

" Whatever ſhall be agreed upon by the majority ſhall be
" eſteemed the order by which each one is to act, and accord-
" ingly every individual perſon, even the diſſenters themſelves;
" are to perform their parts in the proſecution; and in ſo doing
" they do their duty, and muſt not be blamed."

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main in office *till removed by the Court of Directors*; and being a government of their own making, they ſurely had a right to make it as they pleaſed, *againſt humanity* as it obviouſly was *againſt juſtice*. It has been ſeen in their *proclamation*, that when they came to the ſpecification of offences, they had nothing to allege againſt *us*; all their complaints are confined to *Lord Pigot*; and although I had on former occaſions given my opinion, in Council, what was the ſenſe of the Company's orders in *their commiſſion of government*, by which I was conſtituted a member of the Council, and of the *conſtitution* of *government*, as well from that commiſſion as from the ancient records and the royal charter, the other gentlemen had not; theſe were merely opinions, which, if any member thought neceſſary to refute, was only to be done by ſhewing the clear orders of the Company, ſetting aſide that ancient conſtitution, and the recent commiſſion; But this no one ever attempted: It is true Sir Robert Fletcher had repeatedly hinted, that he intended to move the Council to take theſe opinions into conſideration; and declared, that he thought they merited *ſuſpenſion*; and I as often deſied him to bring his charge againſt me, laughing at the abſurdity of making a *charge againſt* any *member*, for the *ſenſe* he *entertained* of the *Company's orders*. They uſually ſatisfied themſelves with invective and general poſitions of their own.

I only ſtand accuſed of giving my ſupport to Lord Pigot, that is, of doing the *duty* required of me by the Company, when they appointed me in Council; which, in this ſtation, I at all times executed to the beſt of my abilities, oppoſing every meaſure which I diſapproved, whether it had or had not the Preſident's countenance, and ſupporting every meaſure I thought right. It is unneceſſary for me to ſay any thing more on that ſubject, except that it is as impoſſible for me to *divine*, as it is for them to *explain*, in what inſtance the *Company's affairs* have *ſuffered* through me.

EGMORE, MADRAS

OBSERVATIONS

ON THE

PROCEEDINGS IN COUNCIL

At MADRAS,

WITH

A Short Account of the CHANGE of GOVERNMENT there in AUGUST 1776.

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PROCEEDINGS IN COUNCIL

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A Short Account of the CHANGE of GOVERNMENT there in Auguſt 1776.

THE commotions at Madras in the year 1776, the diſpoſſeſſing Lord Pigot of the government of that place, and the conduct of the Eaſt-India Company in reſtoring the province of Tanjore to the Rajah they had aſſiſted in removing, have given riſe to ſo many publications, that there remains but little probability of any thing new being offered on the ſubject.

One queſtion, however, in this diſpute has been but little attended to, or ſtands ſo involved in political diſquiſitions and the mutual accuſations of the contending parties, as to be little underſtood.

It is the queſtion of right ariſing between the Preſident, or Governor, and the Council appointed with him to manage the affairs of the Company; no other branch of theſe diſputes, is here meant to be examined.

It is much to be regretted, that the Court of Directors, when the accounts of theſe tranſactions firſt came before them, did not at once

give

give a definition of the powers meant to be entruſted to the parties, and draw the attention of the Proprietors to this ſtate of the queſtion, as the deciſion of this point decided every other.

In the conſideration of this conſtitutional queſtion, nothing perſonal, nothing foreign to the queſtion of right, is meant to be offered. But it is neceſſary, before any thing further is ſaid upon it, to relate the facts which gave riſe to the diſpute.

In the year 1773, the Nabob of Arcot perſuaded the Eaſt-India Company's Servants at Madras to aſſiſt him in the reduction of the neighbouring fort and country of Tanjore.

In 1775, the Directors, taking this affair and its ſuppoſed conſequences into conſideration, determined to remove the then Governor, and Lord Pigot was ſent out to ſucceed him.

The Company's inſtructions to this new Government, or, more properly ſpeaking, to this new Preſident and Council, had two principal objects in view—the reſtoration of Tanjore to the dominion of the Rajah, *under certain conditions*—and the eſtabliſhment of a *Committee of Circuit*, to viſit and examine into the nature and management of their different revenues under that Preſidency.

The Committee of Circuit was not to proceed on buſineſs till the Rajah of Tanjore was re-eſtabliſhed.

The Nabob repreſented againſt the injuſtice—the breach of faith, as he called it—of diſpoſſeſſing him of Tanjore. He would upon no account give his conſent to the Company's re-eſtabliſhing the Rajah, but did not object to their garriſoning the fort with their own troops.

" Take

" Take (ſaid he) the kingdom of Tanjore under your own protection " —garriſon the forts—keep your army there—ſhare the revenues of " the country—leave me in poſſeſſion in name only, becauſe it pre- " ſerves my honour and character." In conformity to this declaration, he never attempted to reſiſt the reſtoration by force, though he continued to repreſent againſt it.

The Company's orders for the reſtoration were conſidered as poſitive; and the conduct of the Nabob naturally ſuggeſting doubts of his obſtructing the execution of them, Lord Pigot thought it neceſſary that ſome perſons of conſequence ſhould be preſent at putting the Rajah in poſſeſſion of the government of the country, and propoſed that he himſelf ſhould be ſent there, and have liberty to take along with him ſuch other of the Company's Servants, civil or military, as he judged proper. The Council acquieſced, and veſted him, while on this buſineſs, with all power, civil as well as military. 25 March, 1776.

This was not carried without oppoſition in Council, and deſerves particular attention for two reaſons; firſt, becauſe it ſhews the opinion Lord Pigot *then* entertained of the powers of the Council; and next, that till then nothing but harmony had appeared among them.

Lord Pigot's conduct, during his ſtay at Tanjore, did not give univerſal ſatisfaction.

An officer of Dragoons, in his Lordſhip's ſuite, had, according to the ſpirit, but not according to the letter, of an order he had received from his Lordſhip, entered the Nabob's country and brought off one of his principal officers a priſoner to Tanjore. The Nabob made bitter complaints of this outrage to the Council at Madras, and not finding redreſs there, to the Governor General and Council at Bengal.

Lord

Lord Pigot had ordered one Comero a Dubaſh, a man of ſome note and high caſt or birth, to be flogged on the public parade of Tanjore, without form or proceſs.

He put the Rajah in poſſeſſion not only of the Government, but gave him alſo immediate poſſeſſion of the crop upon the ground, without regard to the Nabob's claims for the expence he had been at in ſowing it; the money for which had been lent him by Mr. Benfield, a tranſaction as natural in India, and as common, as it is in this for a man to take up money on mortgage.

Sir Robert Fletcher too made heavy complaints, that his Lordſhip had exerciſed authority over the army, as if he had been Commander in Chief.

13 May, 1776. Theſe things, notwithſtanding the vote of approbation paſſed by the Council on his Lordſhip's conduct at Tanjore, ſeem to have left a leaven of diſſatisfaction in the minds of ſeveral of the members.

The records do not afford a minute account of ſome tranſactions that ſoon followed his Lordſhip's return to Madras, yet they muſt have been conſiderable, as about a month after, the Nabob is found claiming the protection of Sir Edward Hughes againſt the violences his Lordſhip threatened him with, and had partly put in execution.

3 June. Lord Pigot admitted, in his reply to Sir Edward Hughes, that he had mentioned to the Nabob a deſign he had formed of placing a guard at his palace, to ſeize ſuch Europeans as deſired admittance to his preſence, but denied any intention of violence againſt his Highneſs's perſon.

17 June. Lord Pigot ſeems to have conſidered the Nabob's claiming protection from the King's Squadron as very diſreſpectful to himſelf; and in

conſequence,

conſequence, moved three reſolutions in Council.—That the purport of it was to create animoſity between the Members of the Company's Government——That thus circumſtanced, it was indecent, improper, and contrary to the orders of the Company, to hold correſpondence of any kind with the Nabob or his ſons——That he ſhould be deſired to remove from Madras, and reſide at Arcot.—The two firſt reſolutions were carried by his Lordſhip's caſting vote; the latter was thrown out.

Theſe diſputes concerning the Nabob were not fully adjuſted, when Mr. Benfield's claim on the Tanjore crop was brought on a-new, and the Council refuſed to confirm the negative before put on this affair.

Unanimity was now fled from the Board. His Lordſhip on finding a majority of Council againſt him, brought forward claims of excluſive authority as Preſident, which were anſwered by minutes and proteſts againſt his arbitrary maxims. Diſputes followed diſputes, upon the ſame grounds, but upon different ſubjects, and afforded a ſcene of 19 Auguſ
conſtant altercation, until his Lordſhip abſolutely refuſed to put the queſtion for Colonel Stuart to take upon him the command of Tanjore, "unleſs (for he tacked a condition to the refuſal) Mr. Ruſſel was "allowed to go there as Reſident." This brought matters to a criſis.

In the courſe of theſe debates, Lord Pigot aſſerted the following claims of authority over the Council, and acted in conformity thereto.

That the Preſident can prevent any queſtion being moved at the Board, which he does not approve of.

That

That the Preſident can put any queſtion he approves of, though the Majority of Council ſhould diſapprove of it.

That the Preſident can adjourn the Council as he pleaſes.

That the Preſident's concurrence is neceſſary, to make an Act of Council valid; conſequently he has a negative on all their proceedings.

That the neceſſity of circumſtances may be ſuch as to render it neceſſary for the Preſident to counteract the opinion of his Council.

His Lordſhip founded theſe claims upon the words of the Commiſſion of Government, and upon the cuſtom and practice of all the Governors of the Company's Settlements in India.

The Council founded their denial of theſe claims of the Preſident's authority over them upon the words of the Commiſſion of Government, granting to the Majority of the Preſident and Council full power and authority to rule and govern, &c.

Where two different parties pretend to have the right of Government, one of them muſt ſoon prevail. It is ſurpriſing in this caſe, that it did not come ſooner to a concluſion. All buſineſs had been at a ſtand for three days, owing to the Preſident's refuſing to put the queſtion ordered by the Majority. The Council was afraid of the conſequences of urging their authority, and agreed to adjourn from day to day. At laſt the Majority finding the Preſident determined in his conduct, came to the reſolution in the Council-room of writing an order to the Secretary, to ſign, *by order of Council*, the inſtructions for Colonel Stuart, and a letter for Colonel Harper to deliver up the command of Tanjore to him.

This

This direction wrote, the two ſenior Members of Council ſigned it, and before any of the others could do ſo, Lord Pigot got hold of the Paper, and at the ſame time inſtantly produced *from his pocket* a written charge againſt the two Gentlemen that had ſigned it, of having been thereby guilty of an act ſubverſive of government. A queſtion of adjournment was then moved by the Majority, but Lord Pigot put the queſtion of ſuſpenſion upon Meſſrs. Stratton and Brooke, not *ſeparately*, but *jointly*, and ordered the Secretary to take neither of their votes upon it; whereby, and with the aſſiſtance of his own caſting vote, he declared the ſuſpenſion carried. 22 Aug 1776.

The Majority aſſerted the nullity of this ſuſpenſion, and the five who were ſummoned the next day to Council, inſtead of attending it, ſent a proteſt by the hands of a Notary Public to the Preſident, and to the Members who adhered to him.—It charged his Lordſhip with offering an unexampled outrage to the conſtitution, and with arbitrary behaviour to two Members of the Council, whom he had attempted by trick* to deprive of their ſeats at the Board, and rank in the ſervice; and aſſerted their right, authority, and claim to the Government of the ſettlement as a Majority of Council.—This proteſt was laid by his Lordſhip before that part of the Council that obeyed his ſummons, but no further notice was taken of it; upon which the Majority publiſhed it to the Settlement.

The promulgation of their claims being made known to Lord Pigot, and thoſe who adhered to him, they met in the Council Room, and ſent letters of ſuſpenſion to each of thoſe who had ſigned the proteſt.

The Commander in Chief, Sir Robert Fletcher, being one of them, was ordered in arreſt, to be tried by a court martial, for endeavouring

* This expreſſion was made uſe of, as Lord Pigot himſelf propoſed to Mr. Stratton, that the order to the Secretary ſhould be wrote, and on ſeeing it declared his approbation of it, before either Mr. Stratton or Mr. Brooke ſigned it. At this time, it has been ſeen, he had the charge in his pocket.

to excite mutiny and ſedition; and Colonel Stuart was appointed to take the command of the army in his ſtead.

23 Auguſt, 1776. The Majority, upon receipt of their letters of ſuſpenſion, and being acquainted with the directions for bringing Sir Robert Fletcher to trial for his life, iſſued counter orders to Colonel Stuart, charging him to arreſt the Preſident, who had overturned all law and government.

Colonel Stuart, neceſſitated to chooſe between the contending parties, thought it his duty to obey the Majority of the Council.— In conſequence therefore of the orders he received from them, he arreſted Lord Pigot; and Mr. Stratton, being next in Council, was immediately proclaimed Preſident of the Council, and Governor of Fort St. George.

As ſoon as the Majority had poſſeſſion of the ſeat of Government, they, in turn, ſuſpended the Members of the Minority of Council, for having aſſiſted and abetted Lord Pigot in his illegal, unconſtitutional, and violent proceedings.

Whoever gives any attention to the facts above related, will ſee, that the whole of theſe diſputes, when ſtripped of the falſe colours that intereſt or connection have ſo laviſhly laid on them, muſt, as has been ſaid above, depend upon the deciſion of one or two plain and direct queſtions.

Is the power of Government veſted in the Preſident alone, or in the Majority of that Council in which he preſides?

This is the point on which all the reſt turns; for ſhould this firſt queſtion be decided in favour of the Preſident, the matter is at an end—the Council ſtands condemned.—But ſhould it be determined againſt the Preſident, another queſtion will ariſe before the Council can completely be acquitted:

Was the neceſſity of the caſe ſuch as can juſtify the ſuſpending and arreſting the Preſident and Governor?

As to the *firſt* of theſe queſtions.

It cannot be denied, that the ſpirit of every free government has always been applied to place the power, which muſt neceſſarily be lodged ſomewhere, in as many different hands as poſſible. Our own hiſtory ſufficiently evinces this, without reference to other times; and England has always endeavoured to make the conſtitution of her colonies reſemble that of the mother-country as much as circumſtances would admit.—It follows from theſe two principles, that the general preſumption of right is in favour of the Majority of Council againſt the Preſident, in whom, if any excluſive authority is veſted, it muſt be by ſome particular act or ſtatute which has not been produced.

Lord Pigot carried out with him two commiſſions, the one civil, the other military; the former conſtitutes him Preſident and Governor of the ſettlement, and nominates a Council to enable him to manage the Company's affairs—This is the beginning and ſtile of the commiſſion. —The latter part of it, which recites and defines the power granted, never mentions the Preſident's name without the Council, in a Majority of whom all power and authority is thereby veſted.

It has been aſſerted, that the Preſident muſt make one of that Majority—an aſſertion founded merely on the words Preſident and Council.—The Chancellor, in the Houſe of Lords, muſt be upon the woolſack—The Speaker of the Houſe of Commons, and the Preſident of the Privy Council, muſt be in their reſpective chairs before any of theſe conſtituent parts of Government can paſs a reſolution, or decide on any queſtion that comes before them.—But has it ever been heard; that either Chancellor, Speaker, or Lord Preſident, claimed a negative over the proceedings of the Aſſembly in which they reſpectively preſide.—The Chairman, or Deputy Chairman, of the Eaſt India Company, muſt be preſent to render any act, either of the Directors, or of the Propriétors, valid; but if either of theſe Gentlemen ſhould put,

or refuſe to put the queſtion, or adjourn, or refuſe to adjourn the Court, contrary to the opinion of the Majority preſent, moſt people would think any one of theſe ſteps ſufficient reaſon for chuſing a new Chairman or Deputy, before the end of the year for which he was elected.

All the arguments made uſe of, in ſupport of the Preſident's claim of excluſive power, reſting upon the neceſſity of his preſence, admitting (though not granting) that to be true, the conſequence by no means follows which has been aſſumed, that the Governor being preſent, is not bound by the opinion of the Majority.—On the contrary, it is directly and clearly determined by the ſtanding orders--- "Whatever ſhall be agreed on by the Majority, ſhall be eſteemed the "order by which each one is to act; and accordingly every individual "perſon, even the diſſenters themſelves, are to perform their parts in "the proſecution thereof; and in ſo doing they do their duty, and "muſt not be blamed."———Again, "We do ſtrictly enjoin, that all "our affairs be tranſacted in Council, and ordered and managed as the "Majority of Council ſhall determine, and not otherwiſe, upon any "pretence whatſoever," &c.——Lord Pigot's warmeſt advocates, aware of this defect, content themſelves with the aſſertion, without offering a ſingle proof or argument in ſupport of this poſition.

It is very remarkable, that in ſo plain a caſe, where neither the general ſpirit of the Company's conſtitution, nor the particular commiſſions to individuals, give any room for the Preſident's claim of excluſive authority over the Council, it ſhould, notwithſtanding, have been ſo often the ſubject of reference to the Court of Directors; and it is the more remarkable, as the anſwers from Europe, ſince the revolution, and even the explanatory orders ſince ſent on this affair, have uniformly cruſhed all ſuch pretenſions, and originally even denied the Preſident a caſting vote.

Having

Having diſcuſſed the Civil Commiſſion, the Military one need not ake up much time. It is apprehended no Military commiſſion can ›e ſo framed as to ſupercede a Civil one; but this one certainly does ıot, ſince it confines the powers given to Fort St. George; and the inſtructions that draw the line between the Preſident of the Council, Governor of the Fort, and the Commander in Chief of the Company's forces, narrow that power, ſmall as it is, the Governor being obliged, in time of danger, to give up all command, even within the Fort, to the Commander in Chief.

As to the *ſecond* queſtion—the *neceſſity* of the arreſt.

If the right of Government was in the Majority, it was their duty to promulgate it, Lord Pigot's to ſubmit; inſtead of which, he attempted to turn them out of the Council, and ordered the Commander in Chief to be tried for his life by a *military* Court, becauſe he had aſſerted the right of a Majority of Council in his *civil* capacity of Counſellor.

To thoſe who cannot in *this* ſee the *neceſſity* of the Arreſt, the following queſtions are propoſed for ſolution:

Firſt, If the authority of Government is veſted in a Majority of Council, and not in the Preſident alone, has not the Majority a better right of ſuſpending the Preſident, than the Preſident has of ſuſpending the Majority?

Second, If the Preſident, inſtead of ſubmitting to the voices of a Majority, attempts turning them out of the ſeat of Government, by what other means can the Majority keep poſſeſſion of their right, than by ſeizing the perſon of the Preſident?

Third, When matters of Government come to ſuch extremity, which party is to bear the blame of the conſequences---the one who has, or the one who has not, a legal right to Government?

If,

If, after weighing theſe arguments, any impartial perſon can doubt that the authority of Government has at all times been veſted in the Majority of Council, or that the Preſident has at any time been more than the ſenior Member of that Council, the clear and explicit deciſion of the Governor General and Council at Bengal, ought to have great weight.

Both parties having appealed and ſent every official information to that Board, the different claims were maturely weighed, and it was unanimouſly decided, that according to the conſtitution of the Company's Government at Madras, the power of Government was veſted in the Majority.

The Governor General and Council went ſtill further, and in virtue of the powers veſted in them by Parliament, not only publiſhed this deciſion but required obedience to it from the ſeveral ſervants of the Eaſt India Company; and at the ſame time recommended to the Commander in Chief of his Majeſty's Squadron, to countenance and ſupport the new Government.

The rights of the Majority being thus determined, the means employed by them to prevent theſe rights from being wreſted out of their hands, can never be deemed criminal.

That reſiſting unlawful authority is not only juſtifiable but meritorious, none who acknowledge the preſent happy ſyſtem of government eſtabliſhed in this iſland can deny. For upon this ground reſts every Act of State ſince the Revolution.

And that the Majority only reſiſted by continuing to exerciſe the powers with which they were conſtitutionally entruſted, does not admit of a doubt. The Preſident was the aggreſſor; by the ſhameful attempt

attempt to ſuſpend two of the Members of that Board, and the order to arreſt a third, he compelled them to the deciſive ſtep they took.

Deaf to remonſtrance, and determined at all hazards to carry into effect his own arbitrary reſolves; could thoſe, to whom the Eaſt India Company had entruſted their Government, be vindicated in allowing him to do ſo. When convinced that nothing could divert him from his purpoſe, they then, and not till then, arreſted him. And it does very much redound to the honour of the Majority, that this meaſure was ſo conducted, as to be attended neither with bloodſhed or tumult.

Having ſecured the perſon of the Preſident, they continued to govern the Settlement with a ſpirit of moderation that is rarely to be met with in a triumphant party; but as the powers they had aſſerted were their due, they were the leſs elated by ſucceſs, and ſeemed only intent on ſecuring the peace and proſperity of thoſe under thier Government.

Very different was the conduct purſued by the late Preſident: treated with every mark of tenderneſs and reſpect, lodged in the very houſe which of all others was the moſt acceptable to him in India, viſited and at liberty to viſit whom and where he pleaſed (in the Fort only excepted), he made uſe of that liberty, by every means and through every channel he could deviſe, to obſtruct not only the courſe of public juſtice, but by his correſpondence to create feuds and diſturbances that might have involved our ſettlements in a ruinous war.

When he could purſue ſuch meaſures and create ſuch diſturbances under reſtraint, the Majority had juſt reaſon to apprehend he would not be leſs active or ſucceſsful if ſet at liberty. Here again their moderation

moderation is conſpicuous; for they entreated him to deſiſt from ſuch practices, they offered him every aſſiſtance of Government to return to Europe, or remove to any other of the Company's ſettlements in India, exacting only his word of honour not to impede or moleſt their Government, before the final determination of their honourable Maſters ſhould arrive from England. This condition he ſullenly rejected; thereby refuſing to comply with the indiſpenſible duty of every good citizen. Does not this vindicate their continuing him under reſtraint?

So much for the conduct of the Majority of Council, in removing Lord Pigot from the Board, and acting under the next in ſeniority. If in ſo doing, they have acted unconſtitutionally or unwarrantably, their prudent and ſucceſsful adminiſtration of the public affairs will hardly ſcreen them from cenſure; yet, with the liberal and unbiaſſed, it muſt clearly evince, that, if they have been guilty of any miſunderſtanding of the orders under which they acted, they were not actuated by any ſiniſter or ſelfiſh motives, but by a principle of duty to their employers, and for the good of their country.

Theſe are the points to be diſcuſſed when India affairs ſhall come under the conſideration of Parliament; for as to the death of Lord Pigot, after what the world has *lately* heard and ſeen on that ſubject, even brotherly affection would be inexcuſable, in aſcribing that much to be regretted event in any reſpect to the Members of the Majority.

ORIGINAL PAPERS

RELATIVE TO

TANJORE.

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TANJORE:

CONTAINING ALL THE

LETTERS which paſſed, and the CONFERENCES which were held, between his Highneſs the Nabob of ARCOT and Lord PIGOT, on the Subject of the Reſtoration of TANJORE.

TOGETHER WITH

The material Part of LORD PIGOT's laſt Diſpatch to the EAST INDIA COMPANY.

The Whole connected by a NARRATIVE, and illuſtrated with NOTES and OBSERVATIONS.

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ADVERTISEMENT.

THE following collection contains all the letters which paſſed, and the conferences which were held, between his Highneſs the Nabob of Arcot and Lord Pigot, on the ſubject of the reſtoration of Tanjore, to the diſplaced Raja. Moſt of the papers were tranſmitted by the Nabob, by a ſpecial meſſenger in a French ſhip, which left Pondicherry in the end of July laſt; and the remainder conſiſts of the *material part* of Lord Pigot's diſpatch to the Eaſt-India Company, by the ſame veſſel.

To render the ſubject more intelligible to the reader, the papers are connected by a narrative and illuſtrated with notes. An INTRODUCTION is prefixed, explaining the right of the Nabob to Tanjore; and OBSERVATIONS are annexed to the whole, which, it is hoped, contain a COMPLETE REFUTATION of ſuch arguments, as are advanced by the adherents of Lord Pigot, and the authors of the unjuſt and impolitic orders, for the reſtoration of Tanjore. Nothing, in ſhort, has been omitted, that was thought conducive to the throwing light on a ſubject, which muſt come under public diſcuſſion, on account of its own importance, and the flagrant injuſtice of the Eaſt-India Company's ſervants.

INTRODUCTION*.

THE flagrant acts of injuſtice committed by the EAST-INDIA COMPANY, as well as by their *ſervants*, againſt the natives of India, have always called forth the *pity*, and ſometimes the *animadverſion* of the nation. At preſent, the *attention* of the public, and (it is to be hoped) its *reſentment*, are rouzed by the unheard-of oppreſſions heaped upon *Mahommed Ali*, NABOB of ARCOT, the old, faithful, and ſtrenuous ally of the Britiſh nation. The catalogue of the grievances of that unfortunate prince would fill a large volume; but we ſhall, at preſent, confine ourſelves to the affair of TANJORE, in which the COMPANY's Servants have not only violated the *Rights* of the *Nabob*, but have even broken and trampled under foot the *Treaties* and moſt *ſolemn Engagements* of the *Britiſh Nation*.

Mahommed Ali, Nabob of *Arcot*, or the *Carnatic*, is deſcended from an ancient family, who accompanied the firſt Mogul conquerors into India, and who were eminent in the favour and ſervice of the emperors of the Mogul race, ever ſince they eſtabliſhed themſelves on the throne of Delhi, in the year 1526. *Anwar*, the grandfather of the preſent Nabob, whilſt

* A *State of Facts relative to Tanjore*, with an *Appendix* of *Original Papers*, was publiſhed, before the papers, which chiefly form this collection, were received from India. The *Facts*, contained in the *State*, are briefly recapitulated in this Introduction, with a deſign of throwing the *whole ſubject*, at once, before the eye of the reader. The *argument* is ſtated, with greater preciſion, in the OBSERVATIONS annexed to the papers; and *objections* are either *obviated* or *refuted*.

Dewar

Dewan of the province of Patna, entered into the ſtricteſt friendſhip with the Engliſh nation. His father, *Anwar-ul-dien*, having obtained the Nabobſhip of Arcot, in the year 1744, uniformly ſided with the Engliſh againſt the French, till he was killed in battle by the latter, on the 23d of July 1749, bravely fighting for his allies and friends.

The preſent Nabob ſucceeded his father, in his affection for the Engliſh as well as in his government. He had done them the moſt eſſential ſervices, when his father was alive; he *ſaved* them, in a manner, from deſtruction, after his father's death. He ſupported the whole expence of the war on the coaſt of Coromandel; he advanced money for the expedition to Calcutta, which procured for us the kingdom of Bengal; he defrayed the expence of the ſiege of Pondicherry, and thus broke the power of the *French* in Hindoſtan. The friends of the Engliſh were his friends; he made their enemies his own; he communicated with them in all his councils; he made them partners in his authority, his power, and his reſources.

In return for theſe favours and ſervices, he was declared, in the *eleventh* article of the treaty of Paris, *lawful Nabob* of the *Carnatic*, and conſequently *Sovereign* and *feudal Lord* of TANJORE; a province in the very heart of the *Carnatic*, and ever ſince the Mogul conqueſt, uniformly *dependent* upon it. In addition to this ſolemn inveſtiture, by two of the greateſt nations in the world, the Mogul emperor, *Shah Allum*, by a Firmaun, dated in the year 1765, rendered him *independent* on the crown of Delhi.

Tanjore, before the conqueſt of it by the Moguls, was governed by its *native* princes, who became Zemindars or vaſſals to the conquerors. One of theſe princes, being preſſed by his neighbours, about eighty years ago, imprudently called to his aid a *Marattoe plunderer*, named *Eckogee*, who, with a perfidy common to his nation, ſeized *Tanjore*, and drove into exile the unfortunate man, to whoſe aſſiſtance he came. Eckogee and his family governed Tanjore, ever ſince, with the cruelty and ferocity natural to their race.

The Mogul emperors, as long as the tribute was paid, gave little attention to the title or inherent right of the Renter. They, however, augmented the tribute to *thirty lacks* per ann. which ſum was always paid to the Nabob of Arcot,

Arcot, within whoſe government Tanjore was always conſidered to lie. After ſeveral aſſaſſinations, one *Pertaub Sing*, a *baſtard*, of the family of the uſurper *Eckogee*, took poſſeſſion of Tanjore in the year 1741. This perfidious tyrant, being execrated by the public, Ali Dooſt Chân, *Nabob of Arcot*, impriſoned him, upon an allowance of *half a crown* a day, to the great joy of the people of *Tanjore*. *Pertaub Sing*, however, upon the death of Ali Dooſt, in the year 1744, obtained the Zemindary, upon engaging to pay annually *fifty lacks* of rupees, or *ſix hundred and twenty-five thouſand* pounds STERLING.

His former misfortunes produced no favourable effect on the treacherous mind of *Pertaub Sing*. When his *feudal Lord*, the preſent Nabob's father, was ſtrenuouſly fighting for the *Engliſh*, this *vaſſal* avowedly aided the *French*. When *Anwar-ul-dien* was killed, by the *French*, on the 23d of July 1749, the hands of his ſon and ſucceſſor, the *unfortunate prince* whom the Eaſt-India Company now *oppreſs*, were ſo much weakened, that he could not enforce the obedience of his vaſſal, *Pertaub Sing*; and the conſequence was, that he refuſed to furniſh his quota, for the defence of the country, againſt the *French* and *their allies*.

Notwithſtanding a conduct ſo hoſtile to the *Engliſh*, and to their faithful ally, *Mr.* (now Lord) *Pigot*, concluded a treaty with *Pertaub Sing*, in direct violation of the *juſt rights* of his *feudal Lord*. *Pertaub Sing*'s tribute was reduced to little more than *forty thouſand pounds* per ann.; a ſmall ſum was taken, in the place of all arrears, though Mr. Pigot had given the moſt *ſolemn aſſurances* to the *Nabob*, that he would aſſiſt him to recover the former tribute. A debt of ſeven lacks, (about *ſeventy-five thouſand* pounds) for which *Pertaub Sing* had given his bond to the *Nabob*'s father, was declared to be cancelled. In vain did the unfortunate Nabob remonſtrate againſt the *negociating* away his undoubted rights. A tributary Zemindar, or Renter, who had abetted the *French*, is placed by an *Engliſh governor* on the ſame footing with an *Engliſh ally*, an old, tried, and faithful friend. This unfortunate friend had his troops cut off on various occaſions, his country depopulated, his revenues exhauſted in fighting *our* battles. But, as his treaſury was empty, he could not *purchaſe* even JUSTICE; but *Pertaub Sing*, having *not* done his duty, was in a condition to *obtain favours*. The remonſtrances

monſtrances * of the *poor* Nabob were, therefore, loſt on the preſidency of Madras; for their *hearts* had been turned into *ſtones* †.

Soon after the concluſion of this *juſt* and *honourable* treaty, Iſouf Cawn, a ſubject of the Nabob, rebelled in the province of Madura. *Pertaub Sing* aided his rebellion with his councils, treaſure, and troops ‡; and, upon *Pertaub Sing*'s death, his ſon *Tuljagee*, the now reſtored Zemindar of *Tanjore*, ſucceeded him in his government, profligacy, and inveterate enmity to the *Engliſh* and the *Nabob*. He entered into a cloſe connection with *Iſouf Cawn* §, and afterwards with *Hyder Ali*; he aided that indefatigable partizan in invading the Carnatic. He gave him money, elephants, and proviſions; he enabled him, in ſhort, to puſh the war to the very gates of Madras ‖. Upon every occaſion he *inſulted* the *Engliſh* and the *Nabob*. Contrary to the remonſtrances of *both*, he invaded the territories of their vaſſals, he plundered the country, and turned, with the utmoſt indignity, their agents from his preſence †.

This hoſtile and unjuſt conduct muſt, in its very nature, have cancelled the treaty of 1762, had even that treaty been founded on *juſtice*: beſides, the treaty had expired with *Pertaub Sing*. Neither that Zemindar nor his ſon *Tuljagee* conſidered the treaty *perpetual*. It would not, in fact, be *perpetual*, as the *election* of the ſon was *eventual*, and depended

* Vide his letter to Mr. Pigot, of the 17th of July 1762, printed (p. 109.) in the following Collection.

† The treaty of Sept. 20th, 1762, is critically examined in the Obſervations annexed to theſe papers; which renders it unneceſſary to enlarge upon it, in this place.

‡ Vide an original letter from Pertaub Sing, Raja of Tanjore, to Iſouf Cawn, and two letters from Iſouf Cawn to Pertaub Sing, printed No. III. of the *State of Facts relative to Tanjore*, p. 46, 47, 48.

§ Vide two original letters from *Iſouf Cawn* to Tuljagee; and a letter from Monſieur Merchant to Tuljagee, on the ſame ſubject; printed in the Appendix to the *State relative to Tanjore*, No. III. p. 49, 50.

‖ Vide two original letters from Tuljagee to Hyder Ali, printed in the Appendix to the *State of Facts*, No. IV. p. 50, 51, 52.

† Vide Conſultations at Madras in 1768 and 1769, and general letters during thoſe two years. India-houſe. Conſultations, Feb. 11, 1771.

pended on the favour and pleaſure of the *feudal ſuperior*, the *Nabob* of *Arcot*.

But ſhould it be granted, contrary to every idea of *juſtice*, and oppoſition to *truth* itſelf, that the treaty was *perpetual*, muſt the *Engliſh* and their ally, the *Nabob*, be precluded from enforcing * the *performance* of an obligation by which they themſelves are bound? Muſt they be *bound*, and *Tuljagee* be left at *liberty*? Does the *infamous* and *unjuſt* treaty of 1762 prohibit the Nabob from removing his *vaſſal* (even acknowledged as *ſuch* by *Lord Pigot* himſelf †) upon his failing to perform his *feudal duties*? Was not his father removed by a Subadâr of the Carnatic? Shall the *preſent Nabob* FORFEIT his rights for his alliance with the *Engliſh*; for his being *guaranteed* by the treaty of Paris; for his being declared *independent* of the empire of the Moguls? Shall every thing that eſtabliſhed the *rights* of other princes, deprive the *unfortunate* MAHOMED ALI of *his* rights, becauſe his ſituation has placed him within the *reach* of the *inſatiable avarice* of individuals of a nation that has coſt him ſo much of his *treaſure* and his *blood*? This is an inſult upon *common ſenſe*, as well as an unprecedented attack on *common juſtice*!

Had even the treaty of 1762 extended to the ſon of *Pertaub Sing* (which it has been already proved it could not) that *ſon* ſhewed that he was not worthy of deriving any benefit from it. He manifeſted, upon every occaſion, a determined, an inveterate enmity to the *Engliſh* nation. He held an *avowed* correſpondence with their *avowed* enemies. He withheld his tribute from his *feudal ſuperior*, the Nabob of Arcot; and he added *inſult* to *diſobedience*. When he was required, by the Preſidency of Madras, to abſtain from *injuſtice*, he prepared for war. This induced the Preſidency to recur to the *poſitive orders* of the Court of Directors, relative to *Tanjore*.

Orders were accordingly iſſued to General Smith to lay ſiege to Tanjore. The place was inveſted in September 1771; but the Nabob, with more *hu-*

* The Company, as guarantees of the treaty, engaged "to the utmoſt of their power to "aſſiſt the party performing againſt the party failing to perform." Vide p. 117 of this Collection.

† Vide a letter under the ſeal of Governor Pigot, to the Killidars, Halmildars, &c. printed in the Appendix to *the State of Facts relative to Tanjore*.

inanity than *policy*, accepted the *pretended* submiſſion of the Zemindar, on the 24th of October. The rear of the army had ſcarce ceaſed to be ſeen, from the walls of Tanjore, when the *perfidious* Zemindar began to encourage the *Marattoes* to invade the Carnatic. The *Marattoes* accordingly, under the command of Trimbuckrow, entered the Carnatic, and pillaged the country; and the *Nabob* was obliged to ſave his dominions, by *buying off* thoſe plunderers. The intercepted letters of the Zemindar of Tanjore prove, beyond contradiction, that the invaſion was undertaken by his advice and at his inſtigation, at the very time he pretended to throw himſelf at the feet of the *Engliſh* and the *Nabob*, for forgiveneſs and mercy. When the *Marattoes* retreated, he renewed his applications for a *ſecond invaſion* of our territories; yet this *perfidious Zemindar* or *Renter* is the INJURED KING, whom *Lord Pigot* has reſtored to dominions which *never* belonged of *right* either to him or his family!

The intrigues of Tuljagee were not confined to the *Marattoes*. He ſent ſeveral embaſſies to *Hyder Alli*, the determined enemy of the *Engliſh*. He entered into the ſtricteſt connections with the *French*, the *Dutch*, and the *Danes*. With the *French* he actually concluded a treaty. Large ſums of money, an *excluſive* privilege of trade and valuable territories, were to have been exchanged for a body of Europeans and a train of artillery. He *ſold* whole diſtricts to the Dutch; he *mortgaged* others to the Danes. The *three* nations were to lend him their troops, to declare themſelves his allies, in his meditated war againſt the *Engliſh* and the Nabob: yet this is the *injured King*, whom Lord Pigot reſtores to dominions which *never* belonged to his family *!

When this ſtorm was gathering, the *Nabob* applied for the aid of the *Engliſh* to diſpoſſeſs a *perfidious Renter*, whom no treaties, no oaths could bind. The laws of *ſelf-preſervation*, as well as the laws of India, had rendered the meaſure indiſpenſably neceſſary. The matter was debated with a coolneſs ſuitable to its importance. The *pretended guarantee* of 1762 was carefully canvaſſed and ſcrupulouſly weighed. There was not a ſingle perſon at the Board ſo biaſſed in his judgment, ſo loſt to every idea of common juſtice, as to ſuppoſe, that a treaty *forced* by the *heavy hand* of power upon

* The intercepted letters, and papers proving all the facts mentioned in this paragraph, are printed in the Appendix to the *State of Facts relative to Tanjore*.

the *Nabob*, had not expired with *Pertaub Sing*; even if it had not been broken, in *every article*, by his ſon, the *perfidious* Tuljagee †.

The neceſſity of diſplacing that Zemindar appeared to the whole Board. An expedition was reſolved upon *unanimouſly*, as the only means to preſerve the power of *this nation* on the coaſt. Sir Robert Harland, his Majeſty's plenipotentiary in the Carnatic, urged, in the name of the King, the propriety of depriving Tuljagee of his Zemindary. His Majeſty himſelf, in a letter dated in April 1772, had congratulated the *Nabob* upon the expedition in the year 1771. The *King of Great Britain*, in this letter *ſubſcribed* by himſelf, is pleaſed to ſay, "It gave us ſatisfaction to hear, that the Governor and Council of Madras had ſent the Company's troops with yours "to *reduce* your *tributary*, the *Raja of Tanjore*, to obedience; in which we "hope, with the *bleſſing of God*, they will be ſucceſsful." The *King of Great Britain* calls the *Raja of Tanjore* a TRIBUTARY; yet *Lord Pigot* dignifies that very Raja with the title of *King*, and *reſtores* him to dominions which *never* belonged in property to his family!

It is now time to introduce *his Lordſhip's* KING to the acquaintance of the reader. When *Tuljagee* ſucceeded his father *Pertaub Sing*, as *Renter* of *Tanjore*, the firſt act of his government was expreſſive of the futility of his character and principles. He diſgraced the ſervants of his father, and raiſed to the office of Miniſter, and to the command of his troops, a fellow whoſe former employment was to hold to him the *ſpitting-box*, when he chewed beetle-nut. He had been alſo his *Barawar* or *pimp*, which *honourable* office he continued to hold with that of Miniſter. In the capacity of *Barawar*, he recommended his *own ſiſter* to Tuljagee; whilſt, in that of *Miniſter*, he executed his moſt cruel and wanton orders. Tyranny, cruelty, oppreſſion, laid waſte the country without; riot, debauchery, and every ſpecies of vice, reigned within the palace. To ſupply the extravagance of the *Zemindar* and his *principal ſervant*, money was extorted from the wretched farmers by unheard-of tortures, and the cry of the oppreſſed people aſcended to Heaven. There was, in ſhort, no ſpecies of *public injuſtice*, none of *private profligacy*, which *Tuljagee* did not practiſe *himſelf* or encourage in *others*. The effects of drunkenneſs, riot, and debauchery, together with *diſorders*

† The ſubject of the Treaty 1762, is diſcuſſed in the OBSERVATIONS annexed to theſe Papers.

incident to his courſe of pleaſures, enervated his mind and enfeebled his body. He often lay wallowing for whole days in the moſt beaſtly intoxication; and having, at times, acquired *fictitious* courage from the fumes of ſtrong liquors, he would talk of nothing but *extirpating the Engliſh*, or driving them out of India. But when danger came, he betrayed every ſymptom of terror; and his puſillanimity during the ſiege deprived him of that pity which is ſeldom denied to the unfortunate.

Such is the character of the profligate Zemindar, whom the India Company have raiſed to a *throne*, and the title of *King!* Neither his *Barawar Gillilliapaw*, nor any one of the *Directors* who *ſigned* the orders for reſtoring him to his *pretended* dominions, can, with truth, affirm that the colouring is overcharged. The picture would be ſtill more like the *original*, had not his *ſecret* vices been left in the ſhade; but over theſe we ſhall draw a veil, for the honour of human nature. Such is the man for whom an *old* and *faithful* ally of *Great Britain* is *diſhonoured* and *ſtript* of his dominions, by ſome of the *ſubjects* of Great Britain, in direct *violation* of a *public treaty*, by which HIS MAJESTY guaranteed thoſe very dominions to the *Nabob of Arcot*. But it ſeems *Lord Pigot* guaranteed *Tanjore* to *Pertaub Sing*, in the year 1762; and therefore the *guarantee* of the KING OF GREAT BRITAIN muſt yield to *that* of his Lordſhip!!!

Preparatory to the injuſtice of reſtoring *Tanjore* to the diſplaced *Renter*, injurious reports of the bad treatment he met with from the Nabob were induſtriouſly propagated. The enemies of *Mahommed Ali* thought it neceſſary to *ruin* his reputation before they *robbed* him of his dominions. Nothing, however, could be more unjuſt. Upon the taking of *Tanjore*, the fort and country came into the hands of the *Nabob*, as a forfeiture from a rebellious *vaſſal* to his feudal lord. The *Renter* remained in his *palace*. He was ſcarcely leſs at large than when he ſecluded himſelf from the world for the gratification of his own *ſecret* and *abominable* vices. He received a revenue ſuitable to his rank. His mother, his women, his relations, the *companions* of his vices, (for who could be the friends of Tuljagee?) remained with him; and all were maintained at the *Nabob*'s expence. His mother and he himſelf were thoroughly ſatisfied with their ſituation. In a letter to the Nabob, which is now publiſhed, *ſhe* ſays, "I want words to expreſs my gratitude. "Be pleaſed to continue your friendſhip; we ſhall rely henceforth on your "Highneſs for ſupport." Tuljagee himſelf, in another letter, ſays, "Your "Highneſs

"Highneſs is more dear to me, in my eſteem, than the deceaſed Maha-"raja, (his father, *Pertaub Sing*) for your Highneſs has manifeſted a greater "degree of kindeſs for me than ever he did*."

Upon the whole, it may be affirmed, with truth, that the opinion of the *Select Committee*, on the 22d of June 1773, when they deliberated on the expedition againſt *Tanjore*, was juſt in every reſpect. They *unanimouſly* agreed, "that it was *dangerous*, in the preſent ſyſtem, to have ſuch a power "as the *Raja* of *Tanjore* in the heart of the *Carnatic*; and that it was expe-"dient, for the ſafety of the *Carnatic* and the *Company's poſſeſſions*, that the "Raja of Tanjore ſhould be reduced." The meaſure, in fact, was founded on the law and principle of ſelf-defence. It has already appeared, from the conſtitution of the empire of the *Moguls*, and the nature of the feudal ſyſtem in India, that the Zemindar of *Tanjore*, as a *vaſſal* of the Carnatic, held his country by certain *tenures*, which he had avowedly and repeatedly *broken* and *violated*. In conſequence of ſuch breach and violation, his *feudal Lord* was authoriſed by the law of nations and every principle of juſtice to diſpoſſeſs him. But if the Nabob was authoriſed to diſpoſſeſs him, by what *law* or by what *juſtice* did the Court of Directors take upon them to ſend *orders* to reſtore him, in breach of a *ſolemn treaty* made by the KING, and approved of by the *Parliament* of Great Britain? Is it juſt, or even is it *prudent*, for a few Directors in Leadenhall-ſtreet to violate, with *their orders*, the *engagements* of the Nation?

This buſineſs requires farther explanation. In the treaty of Paris, the Crowns of Great Britain and France expreſsly *guaranteed* Mahommed Ali, Nabob of Arcot, in *all* his poſſeſſions; that is, in the *whole* of the Carnatic. Tanjore is not only a *dependent province*, and its Zemindar a *vaſſal*, but it is alſo in the very heart of the dominions of the *Nabob*. Tanjore, therefore, is expreſsly comprehended in the *guarantee*, as a *part* of the *Carnatic* †. The

* Tuljagee never paſſed his time more agreeably, than when he lived a *nominal* priſoner in his own palace. The walls, which ſurround the palace and pleaſure-gardens, are near a mile in circumference. There he paſſed his time, with his women, mother, relations and friends. The whole time was ſpent in feſtivity and joy, in piping, dancing, and one continued round of diverſions. An Engliſh gentleman (Mr. Salmon) at preſent in London, who held a reſpectable office at Tanjore, and lived in that place till the Raja was reſtored, is ready to vouch for all theſe circumſtances.

† The ſubject is very fully canvaſſed and explained in the *Obſervations* annexed to theſe Papers.

 treaty

treaty was made by *one*, and approved of by the *three* Eſtates of Parliament; it is, therefore, binding on *all* the ſubjects of Great Britain. What right have ſubjects to cede dominions *guaranteed* by the treaties of the Sovereign? Would not Parliament, ſhould the Nabob petition them, examine into this *daring breach* made by *individuals*, on the public faith? What anſwer will the *then* LEADING DIRECTORS give, when called to the Bar of the Houſe, to the queſtion, "Have YOU brought about by YOUR *Influence*, have YOU "authoriſed by YOUR Signature, the ceſſion of a territory *guaranteed* by the "Crown and Parliament of Great Britain †?"

The orders given to *Lord Pigot* for the reſtoration of Tanjore to the *diſplaced Renter*, were evidently founded on *falſe* as well as *unjuſt* principles. They take it for granted, with an effrontery ſcarce excuſable in the moſt *ignorant* (not to uſe a more ſevere epithet), that *Tuljagee*, the ſon of a *Baſtard*, and of the *race of an Uſurper*, is the *hereditary Sovereign* and *lawful Proprietor* of *Tanjore*. But the very reverſe has been repeatedly proved to the Public, and ought to have been *always* known to men who decide on the fate of empires.

The *orders* are, to the laſt degree, *unjuſt*; becauſe it has been *proved*, that the *Nabob* had an *inherent right*, as Subadar of the Carnatic, to diſpoſſeſs his *vaſſal*, the *Renter of Tanjore*, when he failed to perform his feudal duties. But if the right is *inherent* in the *Nabob*, what title has the Eaſt-India Company to reſtore his feudatory without his conſent? Is not the territory his own? Has the Company any right, has it even any *pretence* of claim on his dominions? Have the ſervants of the Company, have the *Directors* who ſigned the orders, a right, not only to break every tie which ought to bind themſelves, but even the *treaties* and *guarantees* of their Sovereign, the King of Great Britain, approved by the two other Eſtates of Parliament?

Did not the Company's Governor and Council deliver over, under the moſt ſolemn engagements, ſtipulations, and conditions, the fort and country of *Tanjore*, to its lawful Sovereign the *Nabob*? Has that unfortunate and oppreſſed Prince broke any part of the treaty? Nay, has he not fulfilled his engagements with the utmoſt juſtice and honour? What then can juſtify

† The objections raiſed againſt Tanjore's being comprehended in the national guarantee of 1763, are examined and *refuted*, in the *Obſervations* cited in the preceding note.

the

the Company to make ſuch a flagrant breach on *their* ſide? Do theſe *men* think that they will be permitted to break the *treaties* of the nation, to gratify their *reſentments*, or to ſerve their *intereſts*? What retribution can they make to the Company, ſhould the *Nabob* recover, in a *court of law*, more than *two millions Sterling*, for his expences in reducing *Tanjore*? What amends can they make to *Great Britain*, for involving her, perhaps, in a war? What, if France, who has, as well as Great Britain, *guaranteed* his dominions to the Nabob, ſhould make the ſupport of that *guarantee* a pretence of war? Are a few victims to *public juſtice* a ſufficient recompence to *this nation* for the lives of *thouſands* and the expence of *millions*? Are theſe events either improbable or impoſſible? And what proſpect have we of friends in the Eaſt, after having made ſuch a flagrant breach on the Nabob's undoubted rights? Is the oppreſſing and ruining *old friends* the way to acquire *new allies*? The patience of this nation has been great, but the nation was deſignedly miſled.

Upon every principle of expedience and policy, as well as of juſtice, the orders deſerve to be *reprobated*, and ought to be reverſed. *Lord Pigot* and the Directors who procured the orders have deprived of a rich country a power, whoſe fidelity Great Britain has long tried, whoſe attachment ſhe has long experienced. They reſtore it to another, who has been uniformly *treacherous* and *hoſtile*. The *former* is, from early affection and inclination, our *friend*; the *latter*, from early prejudices and recent injuries, our *enemy*. The *one* has added the affection of his *father*, to his own regard for the *Engliſh intereſt*; the *other* has joined an hereditary averſion to us, to his own particular regard for the *French intereſt*. But ſhould the *Renter* of *Tanjore* throw off his *natural diſpoſition*, and wiſh to be *grateful*, will not common prudence teach him not to put any truſt in *Britiſh faith*? Can a *newly-acquired Ally* place any confidence in our treaties, after we have broken every *public* and *private* tie, which bound us to an *old* and *faithful friend*, after we have *ſeized*, when we pretended to reſtore, his country, after keeping him in a manner a priſoner, when we boaſt of raiſing him to a throne *?

On the ground of expedience, a thouſand arguments might be urged from reverſing immediately the *orders*. Tanjore is one of the moſt fertile and

* See the letter written, it is ſuppoſed, by Lord Pigot to himſelf, in the name of Tuljagee; it is printed in this Collection.

moſt

moſt opulent provinces in the Decan. When it remained in the hands of the *hoſtile Renter*, whom *Lord Pigot* patronizes, the *French*, *Dutch*, and *Danes*, were enabled to provide more conſiderable inveſtments in the ſouthern countries than the *Engliſh* Company. But ſhould the French poſſeſs themſelves of the province of Tanjore, (a circumſtance which will infallibly follow its being reſtored to the former *profligate Renter*) they will derive from it great reſources of war; a revenue, proviſions, coolies, beaſts of burden. They will alſo interſect the Carnatic, and ſo cut off the communication between the ſouthern provinces and *our* principal force. Trichinopoly, Madura, Tinnevelly, the countries of the Great and Little Marawar, muſt fall into the hands of *French:* beſides, they will have it in their power to ſtarve Madras, by ſtopping the importation of grain from Trimili Waſh and other ſea-ports of *Tanjore*.

Should *Tanjore* remain in the hands of the *Nabob*, with an *Engliſh* garriſon in the fort, it would be impoſſible for an European enemy to march ſix miles from the coaſt, for want of coolies and beaſts of burden. The inveſtments of the Company might be increaſed; the reſources of *Tanjore*, inſtead of ſtrengthening our enemies, would ſupply *ourſelves* in war; our territories, and conſequently our commerce, would extend from the Ganges to Cape Comorin; the ſea on one ſide, the weſtern mountains on the other, would form a double barrier for *our* protection; and the Nabob, by the addition made to his revenue, would be enabled to entertain a body of horſe, to ſecure the country from the predatory incurſions of the Marattoes. Theſe being incontrovertible facts, what excuſe had the *Directors* for gratifying *Lord Pigot*, at the expence of the Britiſh nation? Had they been of the Duke de Choiſeul's cabinet, in the year 1770, they could not forward, with a greater appearance of *zeal*, or with more *real ſucceſs*, the views of that ambitious miniſter on the coaſt of Coromandel, which exactly correſponded with the arrangements made by their orders. *His* object was to eſtabliſh a *force* in the heart of our territories, and they have actually done with a *ſtroke* of the *pen*, what France *meditated* to do by the *ſword*.

On the univerſally admitted principles of juſtice, on thoſe of equity and common law, on thoſe of the law of nature and nations, in point of expedience and policy, on the ſcore of public treaties and ſolemn engagements, the *orders* ought to be *reprobrated*, and muſt be *reverſed*. An expedition is undertaken, a conqueſt is completed by the *expreſs orders* of the Company,

pany, and under the *ſanction* of the ſtate. This expedition and this conqueſt were carried on and finiſhed at the *ſole* expence of the *Nabob*. The *particulars* of that expence have been already made public *. They amount to between *two* and *three* millions ſterling. Is not the *Nabob* (NOW he is diſpoſſeſſed of Tanjore) entitled by *equity*, and even by *law*, to have his expences refunded? Who then is to refund this great ſum? Is the Company to be encumbered with a debt of millions, becauſe *a few Directors* have choſen to gratify *Lord Pigot's* RESENTMENT, or to forward his INTEREST? Or will they, in *mere friendſhip*, pay the debt out of their own private fortunes? But granting that the *Directors*, by *aſſuming* the name of the Eaſt-India Company, are immediately freed from ſuits at law, will the legiſlature of this kingdom ſuffer an ally to be *robbed*, and *public treaties* to be *broken*, with *impunity?* Will even the Proprietors of India Stock ſit down in tranquillity, under the loſs of a free-gift of 400,000 l. and the expence of a body of horſe, and three battalions of ſeapoys, *for ever?* Will they bear with patience the paying the expences of the Nabob, becauſe Lord Pigot, by intrigues at the India-Houſe, obtained orders ſubverſive of every principle of juſtice, and every rule of policy? The *Directors* have been truly generous to *Lord Pigot* and his friend, the *Renter* of *Tanjore!* They break treaties to *pleaſe* his *Lordſhip:* they reſtore provinces to a man, who has been uniformly an *enemy* to Great Britain!!!

Some profligate perſons have been very buſy in adding *defamation* to *injuſtice*. They charge the *unfortunate Nabob* with *ambition*, and a *deſign* of *independence*. Where have they gathered this idle tale, or how can they ſupport it? The moſt inveterate of his enemies cannot produce a ſingle inſtance of his ever having entertained a wiſh of being *independent*. But ſhould accumulated acts of *oppreſſion*, *rapacity*, *indignity*, and of public and private *injuſtice*, ſuggeſt hereafter ſuch a deſign to his almoſt diſtracted mind, how is it poſſible for him to execute it? Are not his forts garriſoned with *our* troops, his army commanded by our officers, his own perſon, his children, his family, his ſervants, under the very guns of Fort St. George †? This *infamous aſperſion* has been raiſed by ſome of the ſervants of the Company, becauſe the *Nabob* has appealed to the *juſtice* of the Nation from the *injuſtice* of the Company, as well as of individuals in its ſervice.

* Vide the Appendix to the *State of Facts* lately publiſhed.

† Yet Lord Pigot made a motion in the Council at Madras, that it ſhould be *recommended* to the Nabob to remove to Arcot. His Lordſhip loſt the queſtion, on a diviſion, by a majority of *ſeven* to *four*.

ORIGINAL

MADRAS

ORIGINAL PAPERS

RELATIVE TO

TANJORE.

LORD Pigot, having obtained † orders, from the Court of Directors, to reſtore the province of Tanjore to the diſplaced Zemindar, arrived at Madras in the beginning of December 1775. The firſt three weeks after his Lordſhip's arrival paſſed in a *pretended* harmony with the Nabob of Arcot. It was certainly *pretended*, on the ſide of Lord Pigot; but, on that of the Nabob, it was really *ſerious*. He gave his Lordſhip ſome *valuable marks* of his confidence and friendſhip, which ſhall be fully explained in another place. When the *Eaſtern* ceremony of preſents was over, Lord Pigot reſolved to explain the object of his miſſion in the following letter.

† Lord Pigot's great and avowed object, in going to India, was the reſtoration of Tanjore to the diſplaced Renter. The Chairman and Deputy-chairman of the Court of Directors, at the time, were no ſtrangers to his Lordſhip's wiſhes on this head; yet it was only propoſed, at firſt, to *intercede* with the Nabob, for an aſſignment of an allowance proper for the Raja, and a guard for the protection of his perſon. Lord Pigot, however, by his frequent viſits to the India-Houſe, OBTAINED, as mentioned in the text, the orders for the total reſtoration of Tanjore. This was a point of great difficulty, notwithſtanding the utmoſt exertion of influence and intrigue. The orders lay a fortnight in the India-Houſe, before a *legal* number of ſignatures could be obtained in the Court of Directors; and they were at laſt ſigned, on the very day of the *annual election*, the 12th of April 1775, when the Court of Proprietors were met to chuſe *new* Directors, and conſequently for the time, ſuſpended the authority of the *old*.

 Letter

Letter from Lord Pigot to the Nabob, dated 30th December, 1775.

To the Nabob.

May it pleaſe your Highneſs,

UNDERSTANDING from your ſons, Umdaht-ul-Omrah and Ameer-ul-Omrah, whom I had the honour to ſee this morning, that it was your wiſh, I ſhould communicate to you in writing the purport of the Orders I have received from the Company reſpecting Tanjore, I think I cannot comply with your requeſt in a more ſatisfactory manner, than by giving you an extract of thoſe orders.

" In order to remedy ſo far as may be the inconveniencies occaſioned by the miſconduct of our late Preſident and Council, we have thought proper to conſtitute, and by our commiſſion under our ſeal, dated the 11th inſtant, have conſtituted and appointed you, to be our Governor and Council of Fort St. George, for governing and managing all the Company's affairs on the coaſt of Coromandel and Orixa, and all our Forts, Factories, and Settlements thereunto belonging; ſubject however to the limitations and reſtrictions contained in a late Act of Parliament, intituled, 'An Act for 'eſtabliſhing certain regulations for the better management of the affairs 'of the Eaſt India Company, as well in India as in Europe.' It behoves you to avoid all meaſures of a like tendency with thoſe which have involved our ſervants in *the conſequences of our diſpleaſure* *.

" In the execution of the truſt now repoſed in you, ſeveral important objects claim your immediate and moſt ſerious conſideration. We ſhall point out what we wiſh to have accompliſhed, and ſuggeſt ſuch means as appear to us moſt likely to be effectual for obtaining the ends propoſed; but we are convinced that ſucceſs muſt in a great meaſure depend upon the wiſdom of your Councils, the integrity and firmneſs of your conduct, and in no ſmall degree upon the ſeaſonable exertion of thoſe peculiar abilities for which your right honourable Preſident is ſo juſtly and eminently diſtinguiſhed ‡.

* This expreſſion is highly ridiculous and abſurd; and totally *inconſiſtent* with the Orders of the Year 1769. It is ridiculous, becauſe the few Directors who ſigned the Orders aſſume the language of ſovereignty; and abſurd, becauſe it contradicts the expreſs Orders of a former Court.

‡ The world will be probably enabled to judge concerning the *juſtice* of this *eulogium*, after peruſing the following papers.

" As

" As the ſolemn promiſe made by our Governor and Council, at the requeſt of the Nabob of the Carnatic and the King of Tanjore, to guarantee the Treaty of 1762, has been fully approved by the Court of Directors, we cannot but conſider the public faith of the Company as forfeited, and the honour of the Britiſh nation deeply affected, by the meaſures taken for dethroning that unhappy prince, whoſe kingdom has been wreſted from him by our ſervants, and put under the government of Mahommed Ali Cawn, in direct violation of that Treaty, and *contrary to our repeated orders and inſtructions, which have uniformly and expreſsly prohibited them from attempting to enlarge our own or the Nabob's dominions* ‡.

" And as we have reſolved to contribute, ſo far as in us lies, towards the reſtoration of the king of Tanjore, which, by every tie of honour, we conceive ourſelves bound to do, we hereby direct that you take the moſt effectual meaſures, without loſs of time, for ſecuring the perſon of the king of Tanjore; and that you forthwith appoint him a *proper guard for his protection, and alſo for the protection of his family* *; and inform him, that we have determined to replace him upon the *throne of his anceſtors*, upon certain terms and conditions to be agreed upon for the mutual benefit of himſelf and the Engliſh Eaſt India Company, without *infringing the rights of Mahommed Aly Cawn, Nabob of the Carnatic* †.

" As

‡ The Directors who ſigned the Orders fall here into an abſurdity. *General principles* can ONLY govern, where there are no *poſitive* or *ſpecific orders*; a contrary poſition would be ſubverſive of all government; and indeed is, in itſelf, ſo ridiculous and abſurd, that it was never adopted by any ſtate or ſociety whatever. It remained for the Directors of the 12th of April 1775, to hold forth to the world this ſtrange poſition," *Our ſervants have incurred* OUR *diſpleaſure, for obeying our* POSITIVE ORDERS.

* The anxiety here expreſſed, by the Directors, for the protection of the perſon of Tuljagee, is ſuperfluous. He was in perfect ſafety in his own palace, and ſcarce more confined, than when he ſat (as it is here *intelligently* expreſſed) *on the throne of his anceſtors*. The palace of Tanjore is very large, with gardens of pleaſure ſo extenſive, that the wall, which ſurrounds both, is little ſhort of a mile in circumference. Here Tuljagee ranged at pleaſure, with his family, women, relations and friends. Not a perſon belonging to the Nabob, lived within the gates; and thoſe who were without, *acted entirely as his ſervants*. The palace was a perpetual ſcene of feſtivity and joy; dancing, piping, and every ſign and demonſtration of happineſs. Women were brought to him from every corner of India, as when he ſat on the Muſnud; and, indeed, Tuljagee had the candour to own to Lord Pigot himſelf, that he never lived more happily than ſince his country fell into the hands of the Nabob.

† Ignorance cannot poſſibly be admitted as an excuſe for the abſurdity of this injunction. The

 Directors

" As our faith ſtands pledged by the Treaty of 1762, to obtain payment of the King of Tanjore's tribute to the ſaid Nabob of the Carnatic, as it is our intereſt and ſincere deſire to maintain the public tranquillity, and as we find, to our great concern, that other Europeans have obtained *undue influence in Tanjore*, which if permitted and encouraged may operate unfavourably for the Company, render it difficult to perform the part of guarantee to the ſaid Treaty, and even tend to *endanger the peace of the country*; we therefore direct, that you declare to the King of Tanjore, that as we have no ſecurity for the performance of *any engagements* which may be entered into by him, and as in times paſt the payment of the tribute has been evaded or delayed, and ſeveral of his diſtricts *mortgaged to Europeans*, contrary to the *intereſts of the Company* ‡, we ſhall inſiſt upon his admitting a garriſon of our troops into the Fort of Tanjore, not only to inſure the regular payment of the Nabob's juſt demand in future, but alſo to enable us effectually to watch the motions, and to counteract the views, of any European or Country power, who may attempt to form connections, or make eſtabliſhments, in Tanjore, to our prejudice; and you are likewiſe to inſiſt upon having an aſſignment of revenues made to the Company, ſufficient for the maintenance of the ſaid troops, and for providing military ſtores neceſſary for the defence of the garriſon.

" You are however, in our name, to aſſure the King of Tanjore, that no *diminution of his authority* over his ſubjects is intended by us, and that we

Directors deſire Lord Pigot not to *infringe the rights of the Nabob*; yet they, with one daſh of the pen, give away his dominions and conqueſts, obtained in a neceſſary and regular war.

‡ It appears, from this paragraph, that the authors of the Order, *deliberately*, and with their eyes open, do great injuſtice to an ally of Great Britain. They declare themſelves no ſtrangers to the hoſtile conduct of the Raja; they own, that other Europeans had obtained undue influence over his counſels; that this circumſtance tended to endanger the peace of the country, and that they had no ſecurity for the performance of his engagements; that he had evaded the payment of the tribute, and had mortgaged ſeveral of his diſtricts to Europeans. This and much more the Raja did; yet *they reſtore* him to power, and throw into his hands the means of working the deſtruction of the Company. By what rule or line of policy can this be accounted for? How can men, entruſted by their conſtituents to manage their affairs, thus deliberately deſtroy the intereſt they were meant to protect? By their miſconduct, they have endangered the valuable trade and great reſources of this country on the coaſt; and have thus given a fatal ſtab to the Company. One might be tempted to aſk, are ſuch men fit to diſpoſe of kingdoms, and to govern empires; or is it prudent in the State, to ſuffer the great intereſt of the nation to be ſacrificed to influence, or loſt by ignorance.

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will ſeverely puniſh every military officer, or Company's ſervant, who ſhall in any reſpect interfere in the affairs of his government; and you are to take eſpecial care that this article be punctually fulfilled on the part of the Company.

" Although juſtice to our own honour, and to the King of Tanjore, compels us to take meaſures for delivering him out of the hands of the Nabob of the Carnatic, you are nevertheleſs to declare publicly, in our name, that we will by no means protect the King of Tanjore in with-holding from Mahommed Aly Cawn his ſtipulated tribute of four lacks of rupees *per annum*, or any part of it; but that on the contrary we will do our utmoſt to procure payment thereof to the ſaid Nabob.

" We direct, that in caſe the King of Tanjore ſhall not be living at the time of your receipt hereof at Fort St. George, you forthwith proceed to place the next of the royal line, or ſome other proper perſon of the King of Tanjore's family, upon the throne of his anceſtors, ſubject however to all terms and conditions required by the Company, reſpecting Tanjore, in theſe our orders and inſtructions *.

" If any of our ſervants, civil or military, ſhall oppoſe the execution of theſe our orders and inſtructions, or refuſe to aſſiſt in carrying them into full effect, we hereby declare, that upon proper repreſentation of the caſe to us, every ſuch perſon ſhall be abſolutely diſmiſſed from the ſervice of the Company.

" And in order to add the greateſt weight in our power to our proceedings, and to inſure, as far as may be, ſucceſs to your meaſures, we have directed our Governor-general and Council of Bengal to co-operate with you, if you ſhall find it neceſſary, and to yield you all proper aſſiſtance in bring-

* Upon this paragraph ſeveral remarks might be made. There is " more than meets the " ear meant;" by theſe words, " in caſe the King of Tanjore ſhall not be living." To facilitate the Orders, reports were propagated, " that the Raja's life was in danger."—This was a falſehood. He was ſaid to have been " removed to Trichinopoly:"—This was alſo an impudent fiction. Men, who ought to be (and actually were) better informed, ſaid, he was " kept a cloſe pri- " ſoner;"—this was a purpoſely fabricated calumny. He is here called a *king*, yet he is the great-grandſon of a Maratto Freebooter, who, by a piece of unheard-of treachery, ſeized Tanjore, when he was called to defend it.

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ing the important affairs hereby committed to your management to a ſpeedy and happy concluſion †.

I have the honour to be
,Your Highneſs's moſt obliged,
and obedient humble ſervant,

Fort St. George,
30th December, 1775.

PIGOT."

The Orders contained in the preceding letter have been already expoſed as unjuſt, inexpedient, and impolitic, in the *State of Facts*, now in the hands of the Public. The *Raja* of Tanjore is ignorantly called *King* of that place, though it is known that his anceſtors were originally uſurpers and always vaſſals. It is the cuſtom of illiterate and ill-informed perſons in both the Indies, to call Chiefs, by the name of Kings. The negro in Madagaſcar who proſtitutes his daughter for a glaſs of arrack to the Midſhipman of an Eaſt India-man; and the ſavage Cherokee, who ſells a bearſkin to the North American trader for half a blanket, are dignified with *royal titles*. Thus we hear of the *ſtanding turkey* KING, on the confines of Virginia; and thus, of the kings of Johanna and Tanjore.

Upon the ground of expedience, a thouſand arguments might be produced, againſt the meaſure of reſtoring Tanjore to the Raja. That province is one of the moſt fertile and opulent countries in the Decan. When it remained in the hands of the Raja, the Dutch, as well as the French and Danes, were enabled to provide more conſiderable inveſtments in the ſouthern countries, than the Engliſh Company. But, ſhould the French poſſeſs themſelves of the country (a circumſtance ſcarce to be doubted, ſhould it happen to be reſtored to the Raja), they will derive from it great reſources for war, and be enabled to interſect the Nabob's dominions, and ſo cut off the communication between the ſouthern provinces and our principal force in the Carnatic. Trichinopoly, Madura, Tinnevelly, the countries of the great and little Marawar, would, in ſuch caſe, inevitably fall into their hands; beſides, they would have it in their power to ſtarve Madras, by ſtopping the exportation of grain, from Trimili Waſh, and other ſea-ports of Tanjore *.

† There is a *vehement ſincerity* in theſe Orders, a ſtrength of *wiſh*, if not of *expreſſion*, which ſhews, that the labourer is worthy of his hire; only *one perſon* is meant, *et verbum ſat ſapienti*. We may ſay to the *reſt*, in the language of holy writ, " they *knew* not what they did."

* Should Tanjore remain in the hands of the Nabob, it would be impoſſible for any European enemy to march ſix miles from the coaſt, for want of coolies and beaſts of burden.

On the other hand, ſhould the country remain in the poſſeſſion of the Nabob, the inveſtments of the Company might be increaſed; the reſources of Tanjore, inſtead of ſtrengthening the enemies of the Nabob, would provide the means of aiding his friends with ſucceſs; our territory, and conſequently our commerce, would extend from the Ganges to Cape Comorin; the ſea on the one ſide, the weſtern mountains on the other, would form a double barrier for our protection; and the Nabob, by the addition made to his revenue, would be able to entertain a body of horſe, to ſecure the country from the depredatory incurſions of the Marattoes.

The orders given to Lord Pigot, for the reſtoration of Tuljagee, were in every light founded on falſe as well as unjuſt principles. They take it for granted, that Tuljagee is the hereditary ſovereign and proprietor of Tanjore. But it is demonſtrable, that his firſt anceſtor was an uſurper, and the whole line vaſſals. Pertaub Sing, the father of the preſent Raja, a baſtard of the line of the firſt uſurper, was himſelf, in conſequence of his miſdemeanors, as a vaſſal of the empire, depoſed and confined by his feudal lord, the Nabob of the Carnatic. During his confinement he received only half a crown a day for his ſubſiſtence; and few, who knew the character of the man, thought the allowance too ſmall.

The orders are unjuſt, becauſe the Nabob had an inherent right in himſelf, as Subahdar of the Carnatic, to diſpoſſeſs his vaſſal, the Zemindar of Tanjore, when he failed in his obedience. But, if the Nabob's right of diſpoſſeſſing is inherent in his office, what right has the Company to reſtore his feudatory, without his conſent? Is not the territory his own? Have we any right or claim to his dominions? Should it even be allowed, that the Company, or rather a few Directors, may with impunity encroach on the authority of Mahommed Ali, have they a right to break through every tie that binds ſtates and corporate bodies? Did not their Governor and Council, in the moſt ſolemn manner, deliver over to the Nabob, the fort and country of Tanjore, on certain ſtipulations and conditions? Has the Nabob broke any part of the treaty, to juſtify a breach on the Company's ſide? Has not the government of this kingdom, in the perſon of the King's repreſentative, given its ſanction to the conqueſt? And does the Company preſume to abrogate the deed of the nation?

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The orders are incompatible with every idea of juſtice, on other grounds. An expedition is undertaken, and a conqueſt completed, with the aid and ſanction of the Company and of the State. This expedition, and this conqueſt, were carried on and finiſhed, at the ſole expence of the Nabob. That expence was enormous: Prize money to the army, donations to the principal ſervants, a voluntary gift of 400,000*l.* to the Company, a ſum nearly equal to redeem, from the Dutch and Danes, the diſtricts, which Tuljagee had either *mortgaged* or *ſold* to thoſe nations; together with immenſe ſums laid out in improving the country, in ſupplying with ſeed and bullocks the farmers, impoveriſhed by the rapacious cruelty of Tuljagee, and on the fortifications of Tanjore, by the expreſs advice of the preſidency, and under the inſpection of one of the Company's Engineers ‡.

But, if the Company chuſe to be unjuſt to the Nabob, is it conſiſtent with common prudence, to be unjuſt to themſelves? If the Nabob muſt be diſpoſſeſſed of Tanjore, has he not an undoubted claim in equity, if not in law, to have the ſums he has expended on the conqueſt, refunded? Is it a trifling conſideration to the proprietors, to loſe the free gift of 400,000*l.* Is it a matter of no conſequence to be deprived of the pay of three battalions of Sepoys, from the year 1769, to the reſtoration of Tanjore, in terms of the Treaty? Did not the Nabob agree to maintain ten inſtead of ſeven battalions; and did he not engage to raiſe a body of horſe, ſo neceſſary for the defence of our poſſeſſions? The Company have truly carried their generoſity to Tuljagee, their avowed enemy, to a pitch beyond example. They not only break treaties, but either forego or ſquander treaſures, to gratify a profligate young man, who will uſe his good fortune, only as the means of purſuing with more eaſe his own abominable vices.

‡ Nothing could equal the diſtreſs of the country during the government of Tuljagee. No man's property was ſafe, no woman's chaſtity ſecure. The wretched inhabitants, reduced to poverty by his unheard-of extortions, *ſold* their children for a rupee a head. The French and Dutch, availing themſelves of that circumſtance, carried this ſpecies of commerce to ſuch a height, that the Nabob, after he had taken poſſeſſion of the country, was obliged to put a ſtop to the *exportation* of children by an edict; and to alleviate the diſtreſſes, which had forced parents to become the ſellers of their own offspring, that humane prince placed a number of perſons, in every diſtrict, to boil and diſtribute rice to the poor. Theſe are facts of public notoriety; and ſtand in need of no proofs.

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The orders are as contrary to true policy, as they are deſtitute of common juſtice. We deprive a power, whoſe fidelity we have long tried, whoſe attachment we have long experienced, of a rich country. We reſtore it to another, who has been uniformly treacherous and hoſtile. The former is, from habit and inclination, our friend. The latter from early prejudices, as well as on account of recent injuries, our enemy. The one has added the affection of his father, to his own regard, for the Engliſh intereſt; the other has joined an hereditary averſion to his own particular reſentment. But granting that the Raja may wiſh to be grateful to the Company, will not common prudence teach him to put no truſt in Britiſh faith? Can a newly acquired ally place any confidence in our treaties, after we have broken all the public and private ties which bound us to an old and faithful friend?

Men who wiſh to cover injuſtice with an excuſe of expediency, have charged the Nabob with ambition, and a deſign of emancipating himſelf from the controul of the Company. The injuſtice of the Company has not been able to ſuggeſt a wiſh of that kind to his injured mind. But he may defy the moſt inveterate of his enemies to produce a ſingle inſtance of ſuch a wiſh. But ſhould he entertain any deſign of that kind, how is it poſſible for him to execute it? Are not his forts garriſoned with our troops? His army commanded by our officers? Is not his country open to our invaſion? His perſon always in our power? Is not he himſelf, are not his children, his family, his ſervants, under the very guns of fort St. George? This ſilly calumny of independence has been fabricated by ſome of the Company's ſervants, who were jealous of the Nabob's correſpondence with Government. But had he met with juſtice from the Company, he would not now ſtand in need of the protection of the ſovereign, and the juſtice of the nation, for ſecuring his rights and eſtabliſhing his authority.

To ſhew the injuſtice of inſinuating in the orders, that the Raja's perſon was in danger, the following letter from the Nabob's military governor at Tanjore is ſubmitted to the reader.

Tranſlation

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Tranſlation of a Letter from Mahomed Nagif Cawn, dated 1ſt Jummaudalouwell 1189 Hegira, received on the 4th.

I Have received the favour of your Highneſs's gracious letter dated the 29th Rabbaſauney, wherein your Highneſs is pleaſed to mention, that your enemies report that the Raja Tuljagee and his wife killed themſelves; and that I ſhould particularly inform your Highneſs of the preſent ſituation of the Raja, and all his family.

I am aſtoniſhed at what your Highneſs mentions. This ſtory was made by people who wanted ſomething to talk about, and diſturbers who invent lies; no ſuch thing has happened in the Raja's family ſince the reduction of Tanjore, to give riſe to any ſuch report as diſturbers have propagated: however, by the bleſſing of God and your Highneſs's favour, the Raja, his mother, his father's other widow, his own two wives, his younger brother, his *daughter and his ſon* †, are all in good health and ſpirits, beſides his relations ſlaves both men and women, and his attendants, who are in houſe, are all very well. Of all the people who have been from the beginning in the Raja's houſe, there has but one died, who was a relation and above eighty years old; he was carried off four or five months ago, by a tedious ſickneſs. This I informed your Highneſs of at the time it happened; all the other people are in good health and ſpirits, and Tuljagee often expreſſes his thanks to your Highneſs, and his ſatisfaction in his manner of living. The Circar people who are at his gates, act entirely as his ſervants, except in taking care of the gates according to my order.

Lord Pigot had arrived in the beginning of December; and received a ſervice of gold plate, horſes, carriages, and other preſents, from the Nabob. Finding *nothing more could be done* at Madras, he bethought himſelf of the Company's orders, and reſolved to make a journey to Tanjore. Yet, as things were not *ſufficiently prepared* for his reception at Tanjore, he did not ſet out for that place till the beginning of April. The intermediate time, from December 1775 till April 1776, being *four months*, he employed in conferences and correſpondences with the Nabob.

† By concubines.

Tranſlation

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Tranſlation of a Conference between his Highneſs the Nabob and Lord Pigot.

ON the 19th Zucaud 1189 Hegiry, or 12th January 1776, his Lordſhip came to his Highneſs, and told him, that he could not expreſs to his Highneſs how much his (his Lordſhip) honour was hurt by the delay in his buſineſs, and that he would wait on his Highneſs to-morrow morning, to aſk a ſingle queſtion from him, and was then going to take his leave, and went away.—His Lordſhip ſtood for ſome time in the Nabob's garden with Omdaht-ul-Omrah, Ameer-ul-Omrah, and Syful Mulk Behawders, and told them, that he never ſuffered ſo much diſgrace in his whole life; that he was a *man of family*, and had *friends* and *money*; that it was not neceſſary to him to return to this country, and to take ſo much buſineſs on himſelf, with any view of advantage to himſelf, but that he came here in friendſhip to the Nabob; that the Naboh would not yet give him up the Fort of Tanjore, but that he would aſk him to-morrow morning, whether he, his Lordſhip, muſt go to Tanjore in order to place an Engliſh garriſon there, or ſhould ſend Sir Robert Fletcher, or any other councellor, that his Highneſs might approve of. His Lordſhip further ſaid, that the buſineſs of the country was but trifling and might be ſettled afterwards; and that he would never ſet his name to a letter to the Company, till he could mention that this buſineſs was ſettled; but that the Council might write that he was gone to Tanjore for that purpoſe. That he would to-morrow morring go into his Pallenkeen, and ſet off for Tanjore, and there declare, that the ſame troops belonging to his Maſters, who took the Fort of Tanjore and delivered it to the Nabob, now want the poſſeſſion of the Fort again; and that he would ſee whether the Nabob's troops would fire on him or not; that he hoped to God that the day would never come, when he ſhould be obliged to ſend for the Company's troops from the ſeaports and the Circars, to take the Fort by force; that this buſineſs muſt be ſettled before the departure of the Europe ſhip; and that he would ſooner be *hanged* or have his head *cut off*, than give up his honour. Seyful Mulk on hearing this expreſſion turned ſo pale, that his Lordſhip expreſſed words of comfort to him.

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The harſh treatment received by the Nabob, from Lord Pigot, in the preceding conference, had thrown the unfortunate prince into a ſevere illneſs. His ſons were, therefore, appointed to confer with his Lordſhip.

Tranſlation of a conference between Omdaht-ul-Omrah, Ameer-ul-Omrah Behawders, and Lord Pigot, 24th Zucaud 1189 Hegiry, or 16th January 1776.

OMDAHT-UL-OMRAH, and Ameer-ul-Omrah went this morning to Lord Pigot, who was waiting at his garden gate to receive them; when he ſaw them, he advanced towards them crying. They were ſurpriſed, and enquired after his health; he told them, that he did not ſleep a moment laſt night, becauſe buſineſs goes on worſe and worſe, and that his arguments were of no conſequence; that the Nabob was become an enemy to the Company, and that the friendſhip between him and his Lordſhip was broken from this day. They aſked him how he could ſay ſo, that his Highneſs would give up his life, fortune, family, and all his countries to the Company, but would by no means become their enemy. His Lordſhip ſaid, that the Nabob would not comply with the Company's order. They obſerved, that the arguments between his Lordſhip and his Highneſs had been upon buſineſs, and as his Lordſhip had expreſſed his ſentiments, it was proper his Highneſs ſhould do the ſame, therefore his Lordſhip ſhould not ſay that his Highneſs was become an enemy to the Company. Lord Pigot ſaid, the Company do not wiſh to have all the countries, but only wiſh to ſettle this buſineſs. They then went into the garden houſe, where his Lordſhip cried very much, and would not ſpeak or ſit down for an hour, and could not ſhew his face. His Lordſhip produced a paper, a copy of which he ſent to his Highneſs by Omdaht-ul-Omrah, that his Highneſs might copy it, and ſend it to him. His Lordſhip read it and cried, and they comforted him and put their hands on his feet, deſiring (for God's ſake) that his Lordſhip would be ſo good as to put off this buſineſs till he received further orders from England, and that in the mean time he might put an Engliſh garriſon in Tanjore, and that his Highneſs would increaſe the Raja's allowances, and when he ſhould be more fully convinced of the determination of the Company and his Lordſhip, he would comply with them. That enforcing this buſineſs with his Highneſs, was as bad to him as

as cutting his throat! Lord Pigot ſaid he could not wait, and that his crying was for this, that after he ſhould be obliged to ſettle this buſineſs by force, how could he look in the face of his old father, meaning his Highneſs, and that this was the laſt day he would come to the garden, but would ſtay in the fort; that he would remain all this day at the garden, and would not even go to his dinner. He frequently ſaid, that he had ruined himſelf; he exclaimed, why did he come upon this buſineſs? That if he had not come upon this buſineſs, the fall of the houſe would not have happened: That when this buſineſs was finiſhed he was ſure the Nabob would not ſurvive it: That the ſin and great trouble would be upon him. Why did he come here? If he had not made a proper peace between the Nabob and the Raja, he would not have been brought into this trouble; but that ſome raſcals had, ſince his departure for Europe, broke that peace. Omdaht-ul Omrah and Ameer-ul Omrah then came away.

In about an hour after, they returned to his Lordſhip; he ſaid then, that he was a little better; that when his mind was overwhelmed wirh ſorrow, he found relief in ſhedding tears; that he would now converſe: That there were ſeveral raſcals and diſturbers about the Nabob who gave him bad advice: That the Nabob ſhould (through his favour to him) never liſten to their advice: That he had not ſtopped any gentleman from going to the Nabob, but had told him, that whoever he thought proper might go to him, and give him advice: That he had done ſo, that his Highneſs might be aſſured, that he (his Lordſhip) was firmly determined in this buſineſs, and that he might ſee that it was ſo: That it would be better if his Highneſs did not liſten to their advice, and that if he would permit him, he would prevent their going to him: His Lordſhip further ſaid, if this buſineſs ſhould be carried into execution by diſagreeable meaſures, it would not be then in his power to ſhew any friendſhip to the Nabob: That people would ſay, where was the advantage of ſending Lord Pigot on this buſineſs? Any man might do it by force, then what extraordinary good has Lord Pigot done? If the Company and the Nabob keep up ſuch a large body of troops, what will be the conſequence? They cannot pay them, therefore 'tis proper that they ſhould reduce them, and regulate their buſineſs. They will then attend to their affairs, and they ſhould eſtabliſh a treaſury; they will then be ready

ready to undertake any thing that may be neceſſary; there will be no harm if matters ſhould not be conducted to the Nabob's ſatisfaction for two years, as after that time his affairs would be in a good ſituation. His Lordſhip further ſaid, that he was not acquainted with Mr. Haſtings, though he had been twice in his company at Mr. Vanſittart's houſe, and once in his company in England; that he had heard he had ſeveral ſuch raſcals about him as Mr. Stewart, who is here now, and that he liſtened to their advice: That General Clavering was a very good and honeſt man, and though General Monſon was an enemy to the Company, he was a brave officer, and a man of ſenſe: That he (his Lordſhip) did not know in what manner buſineſs would be ſettled in England, and that his Highneſs ſhould not place any confidence in raſcals, or give any money to them, as it could be of no ſervice to him. Omdaht-ul-Omrah and Ameer-ul-Omrah told his Lordſhip, that on ſeeing his weeping and affliction, they had gone to his Highneſs, but could not ſee him as he was ill; that they had heard that his Highneſs was laid down, therefore they would ſit down and converſe with his Lordſhip, and would this evening or to-morrow morning again ſee him in the Company's garden. His Lordſhip replied, perhaps he might not have time to-morrow morning, as he would be employed at the Seſſions; they ſaid, they would then ſee him the day after to-morrow; but his Lordſhip ſaid, he would come to-morrow morning to the garden. They then took their leave, and his Lordſhip ſent his reſpectful compliments to his Highneſs.

The Nabob being a little recovered from his illneſs, wrote the following letter to Lord Pigot; hoping, perhaps, from the profuſion of his Lordſhip's *tears*, at the conference of the 16th, that he would *relent*, and liſten to his propoſals, as well as have *ſome* regard to his *rights*. The letter is an anſwer to that of his Lordſhip of December 30 1775.

Tranſlation of a Letter from his Highneſs the Nabob, to the Right Honourable George Lord Pigot, &c. &c. dated 29th Zecaud, or 22d January, 1776.

I Have received your Lordſhip's letter, containing an extract of the Company's order to you relative to Tanjore. I am convinced that the Gentlemen of the Company were *entirely unacquainted* with the ſituation of affairs here,

here *, and with the true reaſons for taking Tanjore, as alſo with my rights, when they wrote ſuch orders as they now have, and have been influenced by falſe and groundleſs reports, or they would not have given them.

I underſtand that it has been repreſented to the people of England, that I have taken Tanjore through ambitious motives, and that I and my ſon treated in an oppreſſive manner Tuljagee and his family †. As you are a well-wiſher to the Company, and my old friend, and are come here on their part, I beg that your Lordſhip will make ſtrict inquiry into the truth of ſuch reports as prevailed in England. As the Gentlemen of the Company are not acquainted with the true ſtate of affairs, it is neceſſary that I ſhould mention ſome things for their information.

Being ſenſible of the bad conduct of Tuljagee, his connections with the French, Dutch, Danes, Hyder, and other Powers, his ſelling and mortgaging ſome diſtricts of the Tanjore country to other Europeans than the Engliſh, and receiving aſſiſtance from them in troops, military ſtores, &c. his ſending large ſums of money, and an Ambaſſador to the Marratta Chiefs, to induce them to bring their troops to make diſturbances in the Carnatic and to deſtroy the country; his making uſe of perſuaſions with other Powers to engage them in the ſame meaſures; his having aſſiſted Hyder with money, proviſions and other things which he ſtood in need of, in his invaſion of the Carnatic; his making an expedition againſt the Marawars and Mallacotty, which are my tributaries, and taking from them great ſums of money, jewels, horſes, elephants, guns, &c. though the Governor and Council and I forbid him this proceeding; and his not paying him tribute, which the Company obſerved in their orders he had delayed. In order to ſecure the tranquillity of the Carnatic, I thought it neceſſary to explain the matters full to your former Governors.

* This is the moſt favourable conſtruction he could put upon the abſurd Orders of the Court of Directors; if indeed they were a *Court* when they ſigned them. This is a matter which a court of *law* can only decide. They were certainly not *entirely unacquainted* with the ſituation of the Carnatic. The reader is requeſted to look back to page 4, where this ſubject is fully diſcuſſed.

† Theſe miſrepreſentations are now removed by facts.

From

From the beginning of my connection with the Company, my buſineſs has been conducted (as it is at preſent) by the approbation of the Governor and Council, and I have always conſidered the Governor and Council as the Company. Governor Du Pré himſelf, who was deputy to Tanjore in the year 1762, to make a peace and ſettle matters; who afterwards went to England, was appointed a Director there, and came here as Governor of Fort St. George, was well acquainted with the ſentiments of the Company. He as well as the Gentlemen of the Company (as appears by their letter to me, dated the 17th March 1769, mentioning their truſt and confidence in the wiſdom of Mr. Du Pré, whoſe conduct was approved by them on his return to England) thought the behaviour of Tuljagee in the year 1771, contrary to the treaty made in 1762, and to the intereſts and honour of the Company and me; and ſubverſive of the peace and tranquillity of the Carnatic, and the Company's poſſeſſions and commerce; and employed their troops (by the advice of Governor-general Haſtings, who was then ſecond in Council at Fort St. George, and the other Counſellors and the King's Miniſters) with mine to take the fort and country of Tanjore; and to put them into my hands. In Mr. Du Pré's letter, dated the 15th Jemaudeſanny 1185 Hegira, or 25th September 1771, he acquainted me with the Company's order for giving me aſſiſtance. A copy of our correſpondence on this ſubject has been ſent to the Court of Directors. At that time Tuljagee ſubmitted to me, and agreed to diſcharge the tribute, and act in a different manner from what he had formerly done. For the performance of which, he gave an obligation under his ſeal; and in conſequence I recalled my troops from that country, though I might then have got poſſeſſion of the fort of Tanjore, and it was then the real wiſh of the Governor and Council that I ſhould do ſo; but he did not attend many days to his promiſes and ſubmiſſion, but reſumed his former bad conduct. On the return of the Company's and my troops to Trichinopoly, when peace was concluded on the 17th Rajeb 1185 Hegira, he prevailed on Trimuckrow (who was at that time in the command of forty thouſand horſe in the Hyder's country) by giving him large ſums of money, to ſend twenty thouſand of them to his aſſiſtance; in conſequence whereof, on the 25th Shawban Trimuckrow croſſed the Gauts, and his troops plundered my country as far as Calleſpawk, but I prevailed on them to retire, on giving them a great deal of money; beſides this, Tuljagee applied to the Dutch for their aſſiſtance, and they gave

it in the ſtrongeſt manner, as may appear by the letter of the Governor General of Batavia to me, dated the 26th July 1771, regarding his giving aſſiſtance to Tuljagee. Tuljagee's bad conduct I have mentioned to your late governor Mr. Wynch, in my letter of the 18th of June 1773, or 26th Rabbelowell 1187 Hegira. He, General Smith, and all the Council thought it very proper and neceſſary, to take poſſeſſion of his country, and ſent the Company's troops with mine a ſecond time againſt him; and by the bleſſing of God, the Fort and country fell into my hands; but I continued Tuljagee and all his family in his Palace in the Fort, and ordered honour and reſpect to be obſerved to them as before; there is not the leaſt alteration in his table, nor amongſt his family. It is due to the reduction of this place, that all interior diſturbances in my country (recommended to my attention by the Company's letter of the 4th of March 1767) are at an end, according to their wiſhes. Had it not been for the capture of Tanjore, we cannot ſay what troubles might not have ſince prevailed in the country, becauſe Tanjore is ſo ſituated in the middle of my country, that it cannot be attacked by an enemy, without their firſt paſſing through my country. It is now five years ſince Governor Du Pré gave orders to take the Fort of Tanjore, and employed the Company's troops for that purpoſe; and it is near three years that Tanjore has been taken, as has been already known to the Company at home; *but they have been ſilent on the ſubject* *. I have paid large ſums of money to the Europeans of other nations, which they demanded from Tuljagee, for the releaſe of ſome diſtricts which he had ſold to them; beſides, I paid conſiderable ſums which he owed to individuals, and to his army, as alſo the expence of the Company's army and mine; and I have prevented the Marrattas from coming into this country, by buying them off with a large ſum of money.

I have borrowed conſiderable ſums from Engliſh gentlemen, who lent them to promote the capture of Tanjore. I have, beſides, borrowed from the people of the country large ſums of money, which I expended in improving it, in repairing the water-courſes, the mounds, and the fortifications, which laſt was done by Major Stephens, a Company's engineer. I have made great advances to the inhabitants, towards buying bullocks and ſeed

* This ſilence certainly implied the entire approbation of the meaſure.

grain; and I have borrowed Paddy ſeed from the country people, &c. and given it to the inhabitants, which has made the Tanjore country flouriſh more than in Tuljagee's time. I have conſented to paying three additional battalions out of the revenues of the Tanjore country, which I was not before able to do, and the balance on their account, being two lacks ſixty odd thouſand pagodas, I agreed to pay out of the revenues of the Tanjore country only. I have paid conſiderable prize-money to the army for their trouble and fatigue, and other expences for proviſions, &c. and for the Zemindars and Collaries, who came to my aſſiſtance in great numbers. Was I to write all the expences attending theſe two expeditions, this paper would not contain them. Very large ſums have been expended in this buſineſs. It ſurpriſes and aſtoniſhes me, that the Company ſhould, *after five years*, give you this order. My ſorrow and concern on reading the Company's order are inexpreſſible; becauſe, carrying it into execution would not only be prejudicial to the honour and rights of me and my family, but alſo to the honour, juſtice, and intereſts of the Company and the Engliſh nation, and the tranquillity of the Carnatic. His Majeſty, the King of Great Britain, wrote me a letter of congratulation, in which he mentions, that my troops and the Company's have been ſucceſsful, which letter his Majeſty's plenipotentiary publicly read in my Durbar, in the preſence of all my people, and the Vaqueels of the neighbouring powers *. The king of Delhi †, and all the Hindoſtan and European powers, being convinced of my rights, ſent me letters of congratulation. Could I ſuppoſe that the Gentlemen of the Company could now diſapprove of what they had before approved of. Now, on delivering up Tanjore, what will every body ſay? Beſides, how can I provide for the payment of my creditors, who lent their money, depending upon my honour, and which I was obliged to borrow from them, to carry on the before-mentioned buſineſs? Their money depends upon me, and my dependence is on the revenues of the Tanjore country. The gentlemen of the Company have frequently written to me in favour of my creditors. You and your council are men of juſtice and wiſdom, and well acquainted with buſineſs, you yourſelves will pleaſe to judge herein. The Gentlemen of

* His Majeſty's words were, "It gave us ſatisfaction to hear, that the Governor and Coun-
" cil of Madras had ſent the Company's troops with yours to reduce your tributary the Raja of
" Tanjore to obedience; in which we hope, *by the bleſſing of God*, they will be ſucceſsful."

† Shâh Allum, the preſent Mogul emperor.

the Company mention in their order, that they are guarantees to the treaty of 1762, which treaty, ſo guaranteed, was with Pertaub Sing *only* ‡. Even Pertaub Sing, by his bad conduct) as appears by a letter of his in my poſſeſſion), did not merit the protection of the ſaid guarantee. His promoting diſturbances I have already mentioned to you, as alſo to Governor Palk, in a letter dated the 4th Junaudelowell, or 30th October 1764; Tuljagee (according to the cuſtom of this country) is not included in the ſaid guarantee. If you conſider his diſobedience and diſturbances, and his ſelling and mortgaging ſome diſtricts of his country to Europeans, who are enemies to the Engliſh intereſt and mine, you may judge whether the taking of Tanjore was juſt or not.—You may beſides conſider, if (ſuppoſing Tuljagee guaranteed in 1762 as well as his father) he did not loſe all right to ſuch guarantee by his conduct, becauſe he deſtroyed the guarantee by drawing his ſword §.

The Gentlemen of the Company, in their letter of the 17th March 1769, wrote as follows:

" It appears moſt unreaſonable to us, that the Raja of Tanjore ſhould
" take poſſeſſion of the moſt fruitful part of the country, which can alone
" ſupply our armies with ſubſiſtence, and not contribute to the defence
" of the Carnatic. We obſerve the Nabob makes very earneſt repre-
" ſentations to you on this ſubject in his letter, entered in the book of
" country correſpondence, wherein he takes notice, that the Zemindars of
" the Carnatic have been ſupported, and their countries preſerved to them,
" by the operations of our forces employed in his cauſe; and that nothing
" was more notorious, than that three former Princes of the Carnatic had
" received from the Tanjore Raja 70, 80, nay even 100 lacks of rupees at
" a time; that to the preceding Nizam he had paid a contribution of 50
" lacks, and the preſent, if he had met with ſucceſs againſt our army, would
" not have been content with leſs than a crore of rupees from this Raja.
" How juſt does it then appear, that he ſhould be made to bear ſome part
" of the expence of theſe meaſures, to which he owes his ſecurity and the

‡ It could not be otherwiſe; as the ſucceſſion of his ſon was eventual, and depended on the favour of his feudal Lord, the Nabob of Arcot.

§ What anſwer can the Directors who ſigned the orders make to theſe facts?

" peace of his country? We therefore *enjoin you* to give the Nabob ſuch " ſupport, in his pretenſions on the Raja of Tanjore, as may be effectual; " and if the Raja *refuſes* * to contribute a juſt proportion to the expence of " the war, you are then to purſue ſuch meaſures as the Nabob may think " conſiſtent with the juſtice and dignity of his government †."

I am a true friend to the Company, and an old friend to you alſo, and I truſt the proſperity of my affairs to you. Though it is not conſiſtent with the former promiſes of the Governor and Council that I ſhould take a Company's garriſon into Tanjore, I am willing to receive them as my beſt friends, in the ſame manner as in the fort of Trichinopoly, to pay the expence of the garriſon, and to ſhew the moſt friendly treatment to the country, and to the Company, and to increaſe the allowance of Tuljagee and his family ‡.

I have entruſted to the protection of the Company, my life, and that of my ſons, and all my family, and entirely depended on their friendſhip, and am living in their ſettlement at Madras; then how could I refuſe to give up the fort, which is compoſed only of ſtones and bricks? But what anſwer can I ſay about reſtoring to Tuljagee the fort and country of Tanjore, as it will be extremely prejudicial to my rights and honour.

I am obliged to the Gentlemen of the Company, and it is due only to their friendſhip and aſſiſtance that I have poſſeſſed my rights. I have never harboured a ſuſpicion that they would infringe my rights on *falſe* and *groundleſs reports*. I underſtand, from your Lordſhip's repreſentation, that ſhould I not comply with the Company's order, relative to Tanjore, it will be hurtful to the affairs of my government, and that the Gentlemen of the Company will be diſpleaſed with me. When by taking a garriſon of their troops into the Fort of Tanjore, I put a power in their hands, by which

* Which he did.

† Theſe Orders form a ſtriking contraſt to thoſe of the 12th of April 1775. In the latter, the Directors aſſert, with inexcuſable temerity, that the attack and capture of Tanjore was contrary to their repeated orders and inſtructions.

‡ How will Lord Pigot anſwer to this nation, for not accepting ſuch juſt, equitable, and advantageous offers? How will the *preſent* Court of Directors anſwer to the King, parliament, and people of Great Britain, for not receiving ſtill more advantageous propoſals than thoſe? *Quos deus vult perdere prius dementit.*

they

they may always act according to their pleaſure, and only wiſh that they would, through their favour, conſider my rights and do me juſtice; how can they be offended with me!

I have, my Lord, a long time ſince gained the friendſhip of the Company, from my father having given up his life for them; and from having been plundered of our fortune and effects acquired in a ſeries of years; and from ſpending my youth with them. This friendſhip I regard, as the moſt valuable acquiſition. I hope you will (through your favour) ſhew mercy to my old age and white hairs.

As the Gentlemen of the Company have left the management of the Tanjore buſineſs to your Lordſhip's wiſdom, abilities, and honour, you have it in your power to repreſent fully to them the bad conduct and enmity of Tuljagee, my right to take the fort and country of Tanjore, my conſent to receiving a Company's garriſon therein, as in Trichinopoly, &c. and my deſire of increaſing the allowance of Tuljagee and his family.

I will give Tuljagee his liberty before I receive the garriſon of my friends into the Fort of Tanjore. He ſhall owe that favour to me, as he is my ſubject. I am much in debt to my troops, and have given many orders on that country for large ſums of money, which I borrowed on account of it; therefore I hope, that your Lordſhip will do me the favour to give orders to your officers, that they may not interfere in any reſpect that may diſturb me in the management of the country, till a freſh order arrives from the Company. Your Lordſhip will much oblige me by giving theſe orders, and I will receive your garriſon into the Fort."

The propoſals offered by the Nabob, in the preceding letter are ſo explicit, ſo juſt and equitable, that they require no comment, and ſtand in need of no commendation. The conduct of lord Pigot, and the orders upon which he proceeded, are as contrary to the common prudence, as they are to true policy. A faithful ally of Great Britain, found himſelf obliged to diſplace a profligate renter of one of his provinces, becauſe he not only refuſed to perform his feudal duties, but even entered into treaties with the enemies of this kingdom, as well as the Carnatic; yet the Court of Directors, under the influence of a *pretended* fit of humanity, do an act of injuſtice; and give back to a man, who has been uniformly the enemy of the Company, the

power

power of doing them more harm. Can any friend of Great Britain heſitate where to draw the line whom to prefer, if preference was neceſſary? Or where juſtice is only deſired for whom to decide?

The Nabob ſtill continuing ill, the following conference was held between his two ſons and Lord Pigot.

Tranſlation of a Conference between Umdaht-ul-Omrah, Ameer-ul-Omrah, and Lord Pigot, dated the ſecond Zebige 1189 Hegira, or 24th January 1776.

OMDAHT-ul-Omrah and Ameer-ul-Omrah Behawders, went this morning to Lord Pigot to the Company's garden, by order of his Highneſs, and told him, that the Nabob was not well, and that they had left the Doctors with him; that after he had delivered the draught of his Lordſhip's letter to his Counſellors and Moonheer's, he had deſired them to ſhew him a copy of his letter to the Governor and Council of the day before yeſterday; and that after he had read it, he would ſend an anſwer to his Lordſhip to-morrow morning. His Lordſhip ſaid, Why is it neceſſary for his Highneſs to peruſe the copy? the letter he wrote me yeſterday he ſhould forget, as it is not a proper one for him to write*; his Highneſs ſhould only write in two lines, that he will receive the Company's garriſon into the fort of Tanjore, and that he will give an order to his officer commanding there to that purpoſe; that if his Highneſs would not do ſo, it will not be in his (his Lordſhip's) power to do any ſervice to him. They replied, that the Nabob had agreed to receive the Company's garriſon into the fort of Tanjore, as he had written in his letter, and what could his Lordſhip want more; and that his Lordſhip ſhould write only two lines in anſwer, as his Highneſs had no objection to receiving the garriſon. Lord Pigot replied, that the Nabob's letter was not fit to be entered in the *Company's book* †, or to be anſwered by him ‡. Omdaht-ul-Omrah then told him, that they would, to-morrow

* It is hard, if an ally of the King of Great Britain is precluded from remonſtrating againſt the injuſtice of his Majeſty's own ſubjects.

† His Lordſhip appears to be in ſome meaſure ſenſible, that the arguments and facts contained in the letter were not much in favour of the *ſovereign* authority, which *theſe* who *lead* the Company wiſh by their orders to eſtabliſh in their own perſons.

‡ His Lordſhip ſeems to be ſenſible, that the letter *could not be anſwered* by him.

morning,

morning, bring an anſwer from the Nabob to what his Lordſhip ſaid. Lord Pigot told him, that it gave him concern that the Nabob placed no confidence in him, and would not attend to his advice on this ſubject; and what did it ſignify their bringing the ſame anſwer to-morrow morning. That his Lordſhip had received a letter from Mr. Haſtings, congratulating him on his arrival here, and mentioning the affair of Baſalet Jung, brother to the Nizam; and that his Lordſhip having ſo much buſineſs on his hands, had not time to write an anſwer to Mr. Haſtings's letter; that he wanted to ſettle the Tanjore buſineſs, and to write the *pleaſing news* § of having done ſo to Bengal, that if he could not do ſo, he would write to Mr. Haſtings, that it gave him great concern that the Nabob would not comply with his wiſhes, by which his Highneſs's diſpleaſure appeared; that the whole country and the Company's Jaghier were in the Nabob's power; and that the ſituation of the Governor and Council here was ſuch, that they would be ſtarved if the Nabob did not furniſh them with money, as they had not got any; that in this caſe Mr. Haſtings muſt ſupply them with money from Bengal to carry on this buſineſs*. They told his Lordſhip, that they were much ſurpriſed that, conſidering the Nabob's friendſhip, he ſhould allow ſuch thoughts to enter his mind, and aſked, Who is here to fight with your Lordſhip? we only explain our ſituation to your Lordſhip, and agree to take the Company's garriſon into the fort without any objection. They then took their leave and returned to his Highneſs, and told him, that Lord Pigot wanted that his Highneſs ſhould give him leave to return his letter. His Highneſs told them, that he was very ill, that Doctor Boſwell and Doctor Storey were with him; notwithſtanding which, he would give orders to his Moonſhee to ſhew him the draught of his letter to his Lordſhip, either in the evening or at night, and that after he had read it he would ſend an anſwer to-morrow morning.

They went again the ſame morning, and told him, that the Nabob was very ill, and had taken phyſic; that Doctor Boſwell and Doctor Storey

§ This *pleaſing news* he did not chuſe to write, till a *requiſitorial letter* came from Bengal; which ſhall be printed in this collection.

* This is plainly threatening the Nabob with a war; Lord Pigot having declared, that he would ſend for money to Bengal to take Tanjore by force.

were

were with him; that they had explained to him his Lordſhip's meſſage; and that his Highneſs ſaid, though he was very ill, he had ordered his Moonſhee to be ready to ſhew him the draught of the letter, either in the evening or at night; and that he would ſend an anſwer to-morrow morning. His Lordſhip anſwered, that he could not have any longer patience; that he had promiſed his Council that he would ſettle this buſineſs this morning. They replied, that their father's health was ſuch, and the impatience of their uncle (meaning Lord Pigot) was ſo great, that they were in great difficulty how to act. His Lordſhip ſaid, he did not underſtand to-day or to-morrow morning; that to-morrow morning his Highneſs would not attend to his propoſal, but would ſend the ſame anſwer; that he (his Lordſhip) was going to ſend *for money to Bengal* †. They aſked him, Why are you going to ſend for money to Bengal, who is to fight with you? Your Lordſhip *may kill* any of the Nabob's family that you pleaſe, he will ſay nothing againſt it. Lord Pigot anſwered, he would not delay any longer to manage the Company's buſineſs; that the Nabob ſhould *forget* the letter he had written; that his Highneſs ſhould write, in two lines, that he would receive the Company's garriſon into Tanjore, and that he would give orders to his officers to that purpoſe, and that his Highneſs ſhould not mention any thing about the Country, &c. but that he ſhould forget the letter he had written to him, as it was a very *bad letter*; and that his Highneſs ſhould, through favour, leave this buſineſs to him; and that he (his Lordſhip) would write a *very good letter*. They replied, that they would bring his lordſhip an anſwer to-morrow morning. His Lordſhip ſaid, this delay has happened by ſaying to-day and to-morrow morning, and that it appeared they would put off the ſhip from ſailing, by to-day or to-morrow morning; that he would not allow buſineſs to be delayed in ſuch a manner; that he would immediately go to their father, and aſk him one queſtion, Whether he would do the buſineſs or not; and that he ſhould not put it off any longer. Omdaht-ul-Omrah and Ameer-ul Omrah then talked together in Perſian, obſerving that his Lordſhip talked in an extraordinary manner; for though the Nabob had written plainly, yet Lord Pigot expected a letter from him; and that his Lordſhip's real meaning ſeemed to be this, that his Highneſs ſhould not write

† To levy war on an unoffending ally of Great Britain!

any letter or deſire any promiſe from him, before he had taken the Company's garriſon into the fort; that he would do what he thought proper afterwards, but no promiſe now. His Lordſhip ſaid, that he would come to the Nabob's houſe, and ſtay there till he finiſhed this buſineſs. They told him that the houſe was *his*, but that it would be unneceſſary for him to do ſo. His lordſhip ſaid, it was very neceſſary for him to ſettle this buſineſs; that if the Nabob refuſed it, he would write to the Company that the Nabob was an *enemy to them*, and that he would regard him as ſuch. They told his Lordſhip that the Nabob regarded the Company's friendſhip more than his life, and that theſe harſh words were an injury to his Highneſs. His lordſhip ſaid, ſuppoſe them *harſh* or *ſmooth*, I muſt do the buſineſs; if the Nabob chooſes he may write a letter as long as the room, but it will be of no advantage to this buſineſs, and I will not ſtir to-morrow morning till it is ſettled. They then took their leave, and his lordſhip gave them a letter from Mr. Haſtings, addreſſed to his Highneſs, which they delivered to him.

On the 25th of January, the Nabob was *forced* to ſend the following note to Lord Pigot.

Letter from the Nabob to Lord Pigot, dated 25th January, 1776.

Chepauck, January 25th, 1776.

I Have peruſed the STRICT order of the Company given to my Friend, and have written a reply thereto in mine of the 22d inſtant, THAT AGREEABLE TO THAT I HAVE CONSENTED, AND that I have given permiſſion for their garriſon to be put in Tanjore. Fifteen days hence you may ſend your people, and I ſhall withdraw my own ſupernumerary people *.

His Lordſhip returned the following anſwer.

Letter from Lord Pigot to his Highneſs the Nabob, 25th January, 1776.

To the Nabob.

May it pleaſe your Highneſs,

I Am to thank your Highneſs for the mark you have, by your letter of this day, given of your ſteady friendſhip for my employers, the Eaſt India

* To the words in *capitals* the Nabob *did not* conſent.

Company, by complying with the orders I have received from them, to put a garriſon into Tanjore; and although it was impoſſible for me to receive that place on any conditions, yet you may be aſſured of every mark of my attention to your intereſt, ſo far as ſhall be conſiſtent with the Company's orders.

I have the honour to be,
Your Highneſs's moſt obedient,
and moſt humble ſervant,
PIGOT.

Fort St. George,
25th January, 1776.

The following anſwer was returned, next day, by the Nabob.

Tranſlation of a Letter from the Nabob to Lord Pigot, dated 4th Zebige, 1189 Hegira, or 26th January, 1776.

I Have received your Lordſhip's note, dated the 25th Inſtant.

In my anſwer, dated the 29th Zecaud, or 22d Inſtant, to your Lordſhip's Letter, I wrote to you in regard to Tanjore, and have great hopes of the proſperity of my affairs, from the favour and juſtice of the Gentlemen of the Company and you, who are my friend; and my whole dependence is on them and you.

I hope you will ſhew favour to my rights."

The Nabob renewed his ſolicitations to Lord Pigot on the 3d of February.

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, February 3d, 1776, or 12th Zebige 1189 Hegira.

I Underſtand, from your intimation, the deſire of the Gentlemen of the Company to have a garriſon in the Fort of Tanjore. As I have been from the beginning their true friend, and invariable well-wiſher, and as they are bound to protect my honour, and to ſecure my country and my rights, and are aſſiſtants to me in all my affairs; as they, my beſt friends, have had all my ſtrong forts put under their care by me, and I have, through friendſhip, conſidered our intereſts as the ſame; therefore, except to explain my ſituation

tion and my rights, I have *not oppoſed* their intention in any reſpect; but have, with great integrity of heart and great friendſhip, wrote in my letter to you, dated the 29th Zecaud 1189 Hegira, or 22d of January 1776, that the Fort of Tanjore might be kept in the care of my friends; and therefore ſend the incloſed order to Mahommed Nagif Cawn, Bahauder, to deliver up the Fort to the care of my friends, whereby I have given to the whole world a proof of the ſentiments of my heart, which is filled with friendſhip for the Company and the Engliſh nation. I am entirely convinced, that you will repreſent to the Gentlemen of the Company, my friendſhip and regard to them, in the ſame colours as you have ſeen them with your own eyes. And I have ſtrong hopes, that you will (through your favour) give orders to the officer whom you appoint to the command of the Fort of Tanjore, to preſerve the honour of my repreſentatives and ſervants, and act jointly with them, and not to obſtruct the buſineſs of the country, but to give his aſſiſtance in it."

Lord Pigot, eager to accompliſh his views, paid no attention to the ſupplications of the Nabob. The following laconic note was received, by that prince, on the day it was written.

Tranſlation of a Note from Lord Pigot to the Nabob, dated 3d Moharrum 1190 Hegira, or 23d February 1776.

I Want to know how many orders are given for the payment of the money on the Tanjore country, and what perſon the Nabob thinks proper to be deputed *from me* to ſettle the buſineſs of Tanjore.'

Lord Pigot, on the ſame day, ſent a copy of the following paper to the Nabob.

What the Preſident, Lord Pigot, wanted the Nabob to agree to.

THE Preſident acquaints the Board, that the Nabob has delivered to him a paper, containing the amount of the orders he has given upon the Tanjore country. That the Nabob has likewiſe given him an order, directed to all his Hamildars, &c. commanding them to account with ſuch perſons as he, *the Preſident, may name*, for all the ſums collected in the Tanjore

country *ſince the 9th inſtant* *; and directing the ſaid Hamildars, &c. to relinquiſh all manner of authority, ſhould they be required by him ſo to do.

The Preſident thinks, therefore, the Company's orders may *now* be carried into effect †; and that the Raja ſhould be placed in the full poſſeſſion and management of the country, by a public order to all the Hamildars, &c.

The ſafety of Tanjore, and the ſecurity of the Raja and his family, appearing to make it neceſſary, that an Engliſh garriſon ſhould not only be in the Fort, but the country alſo be protected by the Company's troops, the Preſident recommends, that the Raja be requeſted to permit the ſame; and to allot for this purpoſe a ſum not exceeding the amount of what he formerly paid to his own troops.

The ſafety of the Carnatic depends upon a well diſciplined force, regularly paid, being kept up. The particular ſafety and quiet of every individual ſeems to require, that no other force ſhould be permitted to be kept up; and theſe conſiderations induce the Board to wiſh that the Raja would join them in their endeavours to place the country in this ſituation.

In order to induce the Nabob to aſſent hereto, the Raja may be *deſired* to allow the amount of the ſeveral orders the Nabob has given upon the Tanjore country to be diſcharged out of the Revenues thereof.

The proviſion thus made towards the ſupport of the army by the Raja of Tanjore, will render it unneceſſary for the Nabob, in time of peace, to be at a greater expence than the ſum the Company now charge him with, and ſuch of his regiments of horſe as have been long in his ſervice, and he is deſirous of having continued in pay, may be kept up without putting him to that expence.

* Why his Lordſhip ſhould fix on the 9th of February as the day of commencing *his* receipt of the revenue of Tanjore merits *explanation*. He had arrived in the firſt week of December. He had in his pocket *poſitive Orders* for giving back Tanjore to the Raja. Why has he delayed their execution ſo long? Had he negociations at Madras which took up all his time? It is believed he had. But men *unacquainted* with his Lordſhip will ſay: "Either the orders were *juſt* or *unjuſt*. If they were *juſt*, how could you, my Lord, defer ſo long their execution? if they were *unjuſt*, why did you execute them at all? You had a fair opening for putting off the buſineſs, till a further explanation ſhould arrive from Europe?" Theſe queſtions are not eaſily anſwered; and therefore an anſwer is not expected.

† Why might they not have been carried into effect before? Lord Pigot's Dubaſch could, if he pleaſed, anſwer this queſtion.

The

The Preſident adds, that having explained this to the Nabob, his Highneſs, in teſtimony of his ſincere friendſhip to the Company, readily *aſſents thereto* ‡."

The following affecting Paper was ſent by the Nabob, in conſequence of the preceding Paper and Note.

Tranſlation of a Paper from his Highneſs to Lord Pigot, dated 6th Moburrum 1190 Hegira, or 26th February 1776.

BEFORE the reduction of Tanjore, I was not much loaded with debt, but there remained a little due to my old creditors, as I was obliged to pay ten lack of Pagodas, on account of Myſore.

On the firſt expedition againſt Tanjore, my eldeſt ſon ſettled matters there, and took agreement for the payment of the money, which I aſſigned to my creditors; but Tuljagee was totally deficient in the payment, whereby they ſuffered delay. For this reaſon, and the other bad conduct of Tuljagee, which I have mentioned in my former letters, we were induced to ſend the Company's troops and mine to take Tanjore. From Arcot, Nellore, Trichinopoly, Trinevelly, and from all my other countries, fighting people are aſſembled and proviſions, bullocks, ſheep, &c. in great quantities for the uſe of the army, were provided for this expedition.

In carrying on this buſineſs I contracted heavy debts, by raiſing troops for the defence of the forts and countries which were weakened by the old troops being drawn from them to go againſt Tanjore, by paying Batta to the army; and to thoſe who brought aſſiſtance, by paying prize-money to the army on both expeditions, and other expences; and by paying money to the Dutch to releaſe the diſtricts poſſeſſed by them: as all the countries belong to me, I gave orders on ſuch places as I thought proper, for the payment of the ſaid debts, and the pay of the troops, &c. Now, your Lordſhip requires a particular account of the orders I gave on Tanjore. If I give you only an account of the orders on that country, all the debts that lie upon me and my country for the two expeditions againſt Tanjore,

‡ His Highneſs had the ſpirit not to *aſſent*. He reſolved to ſubmit to force, and even to indignity; but he ſtood firm to his rights.

and

and the money paid to the Dutch, will be loſt.—In this caſe, how am I to write you only an account of the orders given on the Tanjore country? Should any hindrance happen in the affairs of that country, the clamours of my creditors and my troops will be very loud; conſidering which, I beg of your Lordſhip to excuſe me on this ſubject (as I deſired in my letter of the 29th of Zecaud, or 22d of January laſt), till you receive a further order from the Company. I now again beg the ſame favour.—I have cheerfully received the garriſon of my friends in the Fort of Tanjore, and am ready (till the further order arrives) to increaſe Tuljagee's allowance, and to pay the expence of the garriſon in any manner you think proper, and may write me.

If Tuljagee had not obliged me to undertake thoſe two expeditions againſt Tanjore, I ſhould by this time have been maſter of much treaſure.—I took Tanjore thinking that my honour, the honour of the King of Great Britain, the Company, and the Engliſh nation, and of the Governor and Council, were concerned, and that it was my right to take it. Had I foreſeen the difficulties that attend this buſineſs before we took Tanjore, though the tranquillity of the Carnatic was much diſturbed, and our intereſts ſuffered by it, we would not have had any thing to do with it. I am therefore under great ſorrow and uneaſineſs, and put myſelf under your protection. It is worthy of your long friendſhip, that you ſhould take by the hand your *old friend*, who is *ſinking in the whirlpool*, and give him protection *."

The Nabob ſent alſo the following anſwer to Lord Pigot's note and paper of February the 23d.

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 7th Moburrum 1190 *Hegira, or 27th February* 1776.

IN anſwer to your Lordſhip's requeſt of the 23d of February 1776, or 3d Mohurrum 1100 Hegira, to be informed, what order I had given on the Tanjore country, and what perſon I wiſhed to be ſent on a deputation

* Application to the *weaker* paſſions have little effect, when the *ſtrong* prevail. His Lordſhip only can determine which of his paſſions is the *ſtrongeſt*, at *his* age. One would have thought, that the ſtate is too feeble to *defend* its allies, when ſuch an humiliating application is made in vain to the repreſentative of a company of Traders.

thither;

thither; I ſent you by my two ſons a paper, containing my opinion on the 26th February. Upon this, your Lordſhip ſent me, by Mr. Chambers, a paper written in *your own hand* for my peruſal. The contents of that paper ſurpriſed me much; from the time in which a garriſon of my friends has been put in Tanjore, I have repeatedly explained to your Lordſhip, as in my letter of the 22d January, my ſentiments relative to my rights, and the difficulties that would ariſe from interfering with the buſineſs of the country. I now write your Lordſhip, that I *did not* explain to you my ſentiments in the manner you have been pleaſed to write in the paper, ſent by Mr. Chambers. I beg your Lordſhip may write me what you propoſe to ſay on this ſubject. I will in return, write your Lordſhip my ſentiments plainly. I always regard my good friends, the Company, as the protectors of my honour, my reputation, and my family."

Lord Pigot endeavoured to *obtain* the following paper from the Nabob. But the Nabob *never conſented*, either to the paper or the propoſals it contains.

A Paper ſent by Lord Pigot to his Highneſs the Nabob 26th February 1776, *or 6th Moburrum* 1190 *Hegira.*

THE Preſident acquaints the Board, that the Nabob has delivered to him a paper, containing the amount of the orders he has given upon the Tanjore country. That the Nabob has likewiſe given him an order, directed to all his Amildars, &c. commanding them to account with ſuch perſons as he, the Preſident, may name, for all ſums collected in the Tanjore country, ſince the 9th inſtant; and directing the ſaid Amildars, &c. to relinquiſh all manner of authority, ſhould they be required by him ſo to do *.

The Preſident thinks, therefore, the Company's orders may *now* be carried into effect †; and that the Raja ſhould be placed in the full poſſeſſion and management of the country, by a public order to all the Amildars, &c.

* No ſuch order was ever given.

† Why were they not carried into effect before? Were the *preparations* neceſſary for the *reſtoration* at Tanjore ſo important, that, on their account, the *poſitive orders* of the Company muſt be ſuſpended?

The

The ſafety of Tanjore, and the *ſecurity of the Raja and his family* ‡, appearing to make it neceſſary, that an Engliſh garriſon ſhould not only be in the Fort, but the country alſo be protected by the Company's troops, the Preſident recommends, that the Raja *be requeſted* § to permit the ſame, and to allot for this purpoſe a ſum not exceeding the amount of what he formerly paid to his own troops.

The ſafety of the Carnatic depends upon a well-diſciplined force regularly paid being kept up: the particular ſafety and quiet of every individual ſeems to require, that no other ſhould be permitted to be kept up; and theſe conſiderations induce the Board to wiſh, that the Raja would join them in their endeavours to place the country in this ſituation.

In order to induce the Nabob to aſſent hereto, the Raja may be deſired to allow the amount of the ſeveral orders the Nabob has given upon the Tanjore country, to be diſcharged out of the revenues thereof *.

The proviſion thus made towards the ſupport of the army by the Raja of Tanjore, will render it unneceſſary for the Nabob, in time of peace, to be at a greater expence, than the ſum the Company now charge him with; and ſuch of his regiments of horſe as have been long in his ſervice, and he is deſirous of having continued in pay, may be kept up, without putting him to that expence.

The Preſident adds, that having explained this to the Nabob, his Highneſs, in teſtimony of his ſincere friendſhip to the Company, readily aſſents thereto †.

Received 6th Mohurrum 1190 Hegira,
or 26th February 1776."

The Nabob complains, in the following letter, of Lord Pigot's unfairneſs, in the preceding paper.

‡ This inſinuates a ſuſpicion of the Nabob, which has been already diſproved by facts.

§ Pretty language to a *man of ſtraw*, from the repreſentative of a body of men who diſpoſe of kingdoms with the daſh of a pen!

* Lord Pigot afterwards changed his mind; but he was out-voted by his Council, who diſapproved of *all* his proceedings at Tanjore.

† His Highneſs never gave his aſſent.

Tranſlation

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 7th Mohurrum 1190 Hegira, or 27th February 1776.

IN anſwer to your Lordſhip's requeſt of the 23d February 1776, or 3d Mohurrum 1190 Hegira, to be informed what orders I had given on the Tanjore country, and what perſon I wiſhed to be ſent on a deputation thither: I ſent you by my two ſons, a paper containing my opinion on the 26th February: upon this, your Lordſhip ſent me, by Mr. Chambers, a paper written in your own hand for my peruſal. The contents of that paper ſurpriſed me much.—From the time in which a garriſon of my friends had been put in Tanjore, I have repeatedly explained to your Lordſhip, as in my letter of the 22d January, my ſentiments relative to my rights, and the difficulties that would ariſe from interfering with the buſineſs of the country. I now write your Lordſhip, that I did *not* explain to you my ſentiments in the manner you have been pleaſed to write in the paper ſent by Mr. Chambers.—I beg your Lordſhip may write me what *you* propoſe to ſay on this ſubject. I will, in return, write your Lordſhip my ſentiments plainly. I always regard my good friends the Company, as the protectors of my honour, my reputation, and my family.

The following is Lord Pigot's anſwer to the Nabob's letter of the 26th February.

Copy of a Letter from Lord Pigot, to his Highneſs the Nabob, dated the 6th March 1776.

I Have received your Highneſs's Letter of the 26th February, in which you repreſent to me the very great diſtreſs of your finances, by the expences you have incurred on account of the Tanjore expeditions. Turn your own thoughts towards a remedy, and I can aſſure you, that no aſſiſtance, which is conſiſtent with the orders of my maſters, ſhall be omitted, on my part, to relieve you from every diſtreſs.

The orders I have received from the Company, are to reſtore the country of Tanjore to the Raja; but ſuch has been my ſolicitude to do every thing in concert with your Highneſs, that this is *yet* unexecuted, notwithſtanding that an Engliſh garriſon has been almoſt a month in Tanjore *.

* This is but a lame excuſe for his Lordſhip's delay.

Humanity to the wretched inhabitants, diſtreſſed beyond meaſure, by the miſerable ſtate in which the country now remains, without any eſtabliſhed government, either of your Highneſs † or the Raja; juſtice to the Raja, who is ſcarcely better than a priſoner ſtill ‡, and attention to the public honour, make it abſolutely neceſſary to carry into immediate effect the orders of the Company.

I muſt therefore beg leave to repeat my requeſt, that you will give an order, directed to all your Hamildars, &c. in the Tanjore country, to relinquiſh all manner of authority when called upon by me ſo to do, and to account with ſuch perſons as *I may name*, for all ſums collected in the Tanjore country, from the day I had the honour to deliver the Company's letter to your Highneſs.

I beg alſo that you will be pleaſed to give me the amount of the orders, you have given on the Tanjore country.

I have the honour to be
Your Highneſs's
moſt obedient humble ſervant,
(Signed) PIGOT.

Fort St. George,
6th March 1776.

Lord Pigot writes a paper to *himſelf*, and deſires the Nabob to father it. Upon this the following conference was held.

Tranſlation of a Conference between the Nabob and Lord Pigot, March 18th, 1776.

LORD Pigot came to his Highneſs about ten o'clock this morning, and explained to him, by Mr. Chambers, a paper which he deſired that his Highneſs ſhould write to him. His Highneſs told his Lordſhip, that he would write him to-morrow what he wiſhed to ſay to him.

† He himſelf had deſtroyed the Nabob's government; and here he complains of his own act.

‡ It is remarkable, that the Company's commanding officer at Tanjore conſidered the Raja as a priſoner, after the Nabob had delivered up the Fort. The Nabob offered to ſet the Raja at large, *before* he admitted a garriſon into Tanjore; yet Lord Pigot rejected that propoſal; and notwithſtanding the *ſtrict orders of his Maſters*, (to uſe his own words) kept him ſtill a priſoner. Here ſomething "more was meant than meets the ear." Had Tuljagee been ſet at liberty before his Lordſhip's arrival at Tanjore, he might *forget* the favour.

Tranſlation

Tranſlation of a Paper which Lord Pigot deſires that his Highneſs the Nabob ſhould write to him, received the 28th Moharrum 1190 Hegira, or 19th March 1776.

IN anſwer to your Lordſhip's Letter in regard to the country of Tanjore, I inform you, that I did not take that country from the Raja until his diſobedience was ſo evident to the Company, the whole world, and to me, that we were convinced he deſerved chaſtiſement. Therefore I cannot return that country to him; but it is not my deſire that even my enemy ſhould deſpond of receiving the favour that the Company wiſh to ſhew him; for I am well convinced that in ſhewing him that favour, my friends will attend to preſerving my honour and the intereſts of the Carnatic; wherefore I will cheerfully deliver the country of Tanjore into the hands of the Company, provided my ſovereignty therein may be aſſured to me. For theſe purpoſes I have ſent the neceſſary orders. *The Raja will be always diſobedient* *; *his nature leads him to this*: I ſhould therefore have a ſtrong agreement from him not to entertain troops in future, for I ſhould otherwiſe be obliged to puniſh him again. It is alſo my wiſh that ſuch a part of the revenues of the Tanjore country ſhould be ſet aſide for the Company as may be ſufficient for the payment of the troops which they may appoint there for its ſecurity, and for the defence of the Carnatic. I conſent to all this, from my intention that the Company may have the moſt evident proof of my firm friendſhip to them, and to convince them that I conſider their advantage as my own. This is the ſtrongeſt teſt of my friendſhip. I therefore truſt that my friends will not leave on me the preſent burden of my debts. The preſſing diſtreſſes of my finances are too clear to require my enumerating them to your Lordſhip. I only mention this, that their riſe have been principally due to the deſire of me and my family to aſſiſt my friends. However, the buſineſs has ſucceeded well, and I am happy in the remembrance of it. My ſons will follow my example. God has pleaſed to give me many ſons, and he has, through his divine favour, given them another father (which is the Company), and I commit them to their protection.

* This is a ſtrange character given of the Raja, by the very man who reſtores him! If he is a dangerous and profligate man, how can Lord Pigot, how can thoſe who gave the orders, anſwer for having placed the power of doing harm, in his hands?

Contrary

Contrary to Lord Pigot's wiſhes, the Nabob adheres with ſpirit to his undoubted rights. But, at the ſame time that he is determined to ſupport his own rights, he makes offers and conceſſions to the Company, which the world will not juſtify his Lordſhip in rejecting. The whole conduct of Lord Pigot ſeems more calculated to mortify and oppreſs the Nabob, than to ſerve his Maſters. It is ſaid he has *effectually* ſerved *himſelf*. There is not a ſingle fact advanced in the following letter, that cannot be proved from the Records of the Company. Their conduct, therefore, to their old friend and benefactor, is replete with ingratitude as well as injuſtice.

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 19th March 1776, or 28th Mohurrum 1190 Hegira.

I Have received your Lordſhip's letter of the 6th inſtant, in which you are pleaſed to ſay, in anſwer to my repreſentation of the great diſtreſs of my finances, from the two expeditions againſt Tanjore, that I ſhould turn my thoughts towards a remedy, and that no aſſiſtance, which is conſiſtent with the orders of your Maſters, ſhall be omitted on your part to relieve me from every diſtreſs; for which I am obliged to you.

If your Lordſhip is reſolved, notwithſtanding my repreſentations and requeſts, both to you and the Company, about the country of Tanjore, to give it to Tuljagee, to what remedy ſhall I turn my thoughts?

I have not contracted my debts by *ſpending money in oſtentation* and *uſeleſs purſuits*; but I have contracted them in the national war againſt Madras, in the reduction of Pondicherry, and the expedition againſt Madura †; in the diſturbances made by the Nizam, when the Company took poſſeſſion of the Circars, and afterwards by their taking the Dewanſhip of Myſore, and making an expedition againſt that country, which occaſioned Hyder Aly to enter the Carnatic, and plunder it as he thought proper, which put me to great expence, as well for the ſupport of the Company's army as my own.

† Lord Pigot is no ſtranger to the particulars of that expedition; it is alſo ſaid, that his Lordſhip was in correſpondence with Iſouf Cawn; but this was *before* that partiſan rebelled; Colonel Monſon, now a member of the Supreme Council at Bengal, can, when he pleaſes, refreſh his Lordſhip's memory on this ſubject.

All

All theſe things have *not* been brought on by me ‡, as I have already mentioned in my letter dated the 2d Showall 1183 Hegira, to the Governor and Council. My debts have been alſo increaſed by my paying ten lacks of Pagodas, on account of the Myſore expedition, which I had no right to pay. All theſe expences have been incurred by me for the aſſiſtance of my friends, and I am happy in the remembrance of it. I have paid off great part, and very little now remains. If the before-mentioned affairs had not happened, I ſhould not owe any thing; the money which I was obliged to borrow for the reduction of Tanjore was with a view to preſerve the tranquillity of the Carnatic, and to aſſure the general peace and ſafety. If I had not done ſo, what diſturbances would not have happened in this country from the bad conduct of Tuljagee, his application to the Marattas for aſſiſtance, and to the Dutch and other powers, as I have ſet forth in my letters to your Lordſhip of the 22d January and 26th February laſt *? I can clearly explain

‡ No. The ſervants of the Company *brought on* the wars, and the Nabob bore the expences.

* Though the Court of Directors have ſhewn ſo much favour to Tuljagee, the following facts are incontrovertible. In compliance with his ſolicitations, twenty thouſand Marratto horſe appeared on the frontiers of the Carnatic under the command of Trimbuckrow, in the year 1772, and threatened the whole country with fire and ſword. To gratify theſe marauders, the Nabob was obliged to pay down a conſiderable ſum of money, beſides preſents of jewels, fire-arms, and elephants. The intercepted letters of Tuljagee to Poonah prove, that this invaſion was undertaken by his advice, and at his inſtigation.

Though the Marattos retreated, contrary to the expectations of the Raja of Tanjore, he continued his intrigues at Poonah. In the beginning of the year 1773, he ſent a perſon to that capital, to entertain a body of horſe, and to ſolicit the alliance of the State for a war againſt the Carnatic. Mr. Moſtyn, the Engliſh Reſident at the Court of Poonah, was no ſtranger to this negociation. He adviſed the Governor and Council of Fort St. George, that the Carnatic was to be invaded by the combined forces of the Marattos and the Raja. The Nabob, as well as the Company's ſervants, being averſe to a freſh war, perhaps delayed too long the only effectual means to deprive Tuljagee of the power of injury.

It is evident, from the whole tenor of Tuljagee's conduct, from the day the firſt ſiege of Tanjore was raiſed, that he meditated another war. He only waited for a fit opportunity of carrying fire and ſword through the dominions of the Nabob, his lawful and acknowledged ſuperior. Happily for the proſperity of the Carnatic, fortunately for the Engliſh, the abilities of the Raja were not equal to his perfidy. His intrigues, however, were not confined to Aſiatic powers. Though he had ſent ſeveral embaſſies to Hyder Ali, he turned chiefly his views to quarters ſtill more alarming to the Nabob and the Company. He entered into the ſtricteſt connections with the French, the Dutch, and the Danes, as appeared from the original Sunnuds, delivered up

 to

plain to your Lordſhip the nature of my debts on account of the Tanjore country, provided you do not obſtruct my management of the revenues.

Your Lordſhip has written to me, that the Company's orders to you are, to put the Tanjore country into the hands of Tuljagee, but that it is your wiſh to tranſact every buſineſs in concurrence with me; and though the Engliſh Company's garriſon has been one month in the fort of Tanjore, you have not yet complied with the orders of your Maſters. I conſider the Gentlemen of the Company as my friends, and it is by their favour and aſſiſtance that I have got poſſeſſion of my right. I am always thankful to them, and I readily received their garriſon into the fort of Tanjore, as into my other forts, to take care of it, in order that the Company might have the ſtrongeſt proof of my friendſhip towards them; yet if any one imagines that the *putting the fort into their hands, agreeing to give a ſuitable Jaghire to Tuljagee, paying the expence of the garriſon; and performing the ſame as the Company expect from Tuljagee (as I have propoſed in my letter of the 22d January), is not complying with their ſentiments, it is my misfortune* *! It is my misfortune that the Gentlemen

to the Nabob after the capture of Tanjore by the reſpective governors of thoſe three nations. He had actually concluded a treaty with the French. Large ſums of money, an excluſive privilege of trade, and valuable territories, were to have been exchanged for a body of Europeans and a train of artillery. To the Dutch he ſold ſome diſtricts, mortgaged others; and ſet aſide the Suba of Manugoody, for the expreſs purpoſe of paying a body of troops, with which they were to ſupply him in his meditated war againſt the Nabob. He mortgaged ſome other diſtricts to the Danes; and raiſed money by theſe means from their ſettlement at Tanquebar. The Dutch actually began to aſſemble troops at Nigapatnam; and their alliance with the Raja of Tanjore was openly avowed by the Governor of Batavia, in a letter to the Nabob. All the facts ſtated in this note are *proved* incontrovertibly, by original letters and papers annexed to the *State of Facts relative to Tanjore* lately publiſhed.

* I ſhould be glad to know what will the Directors, who oppoſed the ſigning of the orders for reſtoring Tanjore, ſay to Lord Pigot's rejecting theſe propoſals. How will thoſe who *ſigned them*, anſwer to their conſtituents, their Sovereign, the Parliament, and the Nation, for their conduct in this unhappy affair? What will the leaders in the India-Houſe ſay, when called upon to give an account of orders, which ſtript a faithful friend of his dominions, and gave them to an avowed enemy? Did not ten Directors vote againſt thoſe orders; and one of them enter a ſtrong proteſt againſt them? Did not the orders lie two weeks on the table before a ſufficient number of ſignatures could be obtained? Did not ſeveral of thoſe Directors, who ſigned the orders, *declare*, that they could only be induced to ſign them, by the conſideration that there was other important and

‡

Gentlemen of the Company have not been acquainted with the free and full ſtate of affairs, even ſo much ſo, that they are aſſured that Tuljagee is at Trichinopoly. When his Majeſty, the Parliament, and the Company fully underſtand the true ſtate of affairs, they will approve of the conduct of their ally and friend here, in not conſenting to his own diſgrace, and the ruin of the future intereſt of the Company and the Engliſh nation, by eſtabliſhing his ſubjects in the Carnatic, which would be the foundation of many troubles and diſorders. I have ſet forth, in my writing to my friends the Company, all my ſituation and rights, and reminded them of their former orders in regard to Tanjore; and I do not expect from them (who are men of juſtice) that I ſhould loſe my rights. Your Lordſhip will not interfere (as I have deſired in my letter of the 22d January laſt) in my management of the country of Tanjore which belongs to me, till we hear further from the Company. Why ſhould not I lay before you the prejudice that will ariſe to my affairs, ſhould I comply with your deſire? for it would not only be attended with the loſs of the Tanjore country, but with the total confuſion of my government. Therefore I again intreat your Lordſhip, *in the name of* the *King of Great Britain*, the *Parliament*, and *the Company*, that till you receive a freſh order from the Company, you will not interfere in the management of the Tanjore country, and do me the favour to ſpare the honour of the *oldeſt* and *trueſt friend* the Engliſh ever found in India. By ſhewing me this favour, and giving me leave to explain how much it is for the good of the Company, that thoſe rights ſhould be ſupported, your Lordſhip will not only do me juſtice, but gain the higheſt approbation of your King and Nation. I am, by the bleſſing of God, the firſt Prince in Hindoſtan, for the ſupport of whoſe right the King and Nation of Great Britain have pledged the honour of their protection and guarantee.

Your Lordſhip writes, that humanity to the wretched inhabitants, diſtreſſed beyond meaſure by the miſerable ſtate in which the country now remains, without any eſtabliſhed government either of me or the Raja; juſtice to the Raja, who is ſcarcely better than a priſoner; and attention to the public honour, make it abſolutely neceſſary to carry into immediate effect the orders of the Company.

and neceſſary buſineſs contained in the public letter? As to the *pretended approval*, SURREPTITIOUSLY OBTAINED, the Reader will find that matter explained, in a manner not much to the *credit* of ſome Perſons, in the OBSERVATIONS annexed to theſe Papers.

The

The miſerable ſituation, my Lord, of the Tanjore inhabitants, and their deſerting the country, proceeded from the *oppreſſions of Tuljagee* *, before it came into my hands. No one oppreſſed the inhabitants more than he did, and he poſſeſſed himſelf of the fortune and cattle of many of thoſe who quitted his country, and pulled down their houſes in hopes of finding money buried under them. He did not, for ſeveral years, repair the water-houſes, mounds, and tanks. After the taking of Tanjore, by ſending my ſecond ſon Ameer-ul-Omrah Behauder, by advancing money to the inhabitants for bullocks for the cultivation of the ground, promiſing to give them their ſhare of the produce, repairing the mound, water-courſes, &c. I gave ſuch encouragement to the inhabitants, that they returned from Trivancore, Myſore, &c. The Cavery river, at the ſame time, ſwelled more than it had done for ninety years before, and overflowed the country to ſuch an extreme, as to deſtroy all the Paddy fields, and to break away the mounds and water-courſes. Ameer-ul-Omrah Behauder himſelf went there, and at the expence of many lacks and great pains, compleatly repaired them, and twice made advance to the inhabitants of ready-money and Paddy for ſeed, which prevented their ruin, and ſet them again to cultivation; which they performed in ſuch a manner as had never been done in Tuljagee's time, as is well known to the whole world, now the crop is ripe, and ready for reaping, and the time for the advantage of the inhabitants is arrived, and for their giving my ſhare and taking theirs; but they have abandoned the country, by which it appears, that from the former oppreſſions of Tuljagee, they renewed their apprehenſions.

Whilſt Tuljagee was in the cuſtody of my ſervants, he paſſed his time *more happily than during his own government*, and I will not omit increaſing his allowances according to your opinion. He has been in cuſtody of the Company's people ſince their garriſon went into Tanjore. You wrote me

* Nothing could equal the diſtreſs of the province of Tanjore during Tuljagee's government. He extorted money by unheard-of tortures from the farmers. If he heard of a woman of beauty in any part of the country, ſhe was forced from her huſband, her father, or her friends, and ſubmitted to his own luſts or thoſe of the companions of his infamous pleaſures. The people fled from his oppreſſions to the neighbouring provinces, towns and villages were depopulated, and deſolation and poverty covered the whole face of the country. When the Nabob got poſſeſſion, the confidence of the people in his juſtice and humanity induced them to return. The towns and villages began to be rebuilt; cultivation was revived; but the confuſions of which Lord Pigot complains, began afreſh, when it was known that Tuljagee was to be reſtored.

that

that you repeat your requeſt, that I ſhould give an order directed to all my Hamildars, &c. in the Tanjore country, to relinquiſh all manner of authority when called upon by you ſo to do, and to account with ſuch perſons as you may name, for all ſums collected in the Tanjore country, from the day your Lordſhip delivered me the Company's order. From your firſt queſtion on this ſubject, I have been uniform in my explanation of my ſentiments in regard to the country of Tanjore which is my right, and part of the Carnatic, and I now make my requeſt to your Lordſhip as before, on this ſubject.

The Nabob having ſtrenuouſly adhered to his rights, Lord Pigot came to confer with him the day after the preceding letter was written. The conference needs no comment. The moſt remarkable paſſages are printed in *Italics*, to call the attention of the reader. Among other matters of information his Lordſhip (perhaps through inadvertence) makes the Nabob acquainted with the *true motives* of his voyage to India.

Conference between his Highneſs the Nabob and Lord Pigot, dated 20th March 1776, or 29th Mohurrum 1190 Hegira.

HIS Lordſhip came to his Highneſs about ten o'clock this morning. Nabob Shaw Hammud Jung, Omdaht-ul-Omrah, Ameer-ul-Omrah, and Syfel Mulk were preſent. His Lordſhip told his Highneſs, that his Highneſs promiſed him, on his going to England, that he would not ſhew favour to any other perſon or attend to any advice but his; that he would not ſhew favour to the Governor and Council for the time *then to come* †, as he had ſhewn to him: That his Highneſs had not obſerved this, and that he (his Lordſhip) had heard that he had ſhewn *favour* to the *governors* and *council*, and attended to the advice of *bad people*: That therefore his Highneſs's buſineſs was in confuſion: That his Lordſhip had formerly left his Highneſs in tranquillity and honour, but that he was not ſo now: That the *raſcals* who had adviſed his Highneſs to take Tanjore, now gave his Highneſs hopes of keeping it, and bad advice alſo. What good conſequence did his Highneſs find from their advice in taking Tanjore, that he ſhould expect any from their advice now to keep it? That he ſhould not

† The Governor meant was Mr. Palk.

hope

hope that country ſhould again be in his hands from the aſſiſtance of the people of England. That when his Lordſhip formerly engaged in the affairs of Tanjore, the faith of the whole nation was concerned therein *: That when he formerly left this country, *the kingdom of England was in a good ſituation: That after the late king died, his preſent majeſty managed the buſineſs of his kingdom very well, lived in pleaſure, and gained victories: That* ONE BAD MAN *came, and gave his advice, therefore that the buſineſs of the kingdom was ruined* ‡, *and the people of America were fallen into rebellion: That the city had given a petition to his majeſty; and in the ſame manner his Highneſs's buſineſs was ſpoiled by the advice of bad people: That if his Highneſs did not do the Tanjore buſineſs, the company would think him their enemy, and that he acted in oppoſition to them, and had connection with the king's people* §: That he did not ſay, that his Highneſs ſhould not expreſs his rights, that he might ſtrongly explain them: That his Highneſs might ſay, that the Tanjore buſineſs had been done by the approbation of the governor and council, and the king's two miniſters, and that, notwithſtanding, his Highneſs had given up the country at the deſire of the Company, which would increaſe their friendſhip to him.

Ameer-ul-Omrah told his Lordſhip, that the Company might form ſuſpicions againſt the Nabob, had he not put the Fort of Tanjore into the care of the Company, but that now he had done ſo, they could have none. That the country was open, and that his Lordſhip might do what he wanted, by *force* and *oppreſſion*; but that the Nabob could not give his conſent to deſtroying his own rights. His Lordſhip propoſed the buſineſs of taking Tanjore. His Highneſs anſwered, I did; and the Company aſſiſted me.—His Lordſhip ſaid, it was his opinion, that his Highneſs had deſired it, and that the Company had done it. He further ſaid, that he had in England, began the buſineſs of reſtoring to the Raja his country, as his honour was concerned therein; that he was the beginner of this buſineſs ‖, and would go to

* That is in his treaty with *Pertaub Sing* in 1762. The *nation* knew nothing of the matter, and the *Sovereign* contradicted it in the *guarantee* of 1763.

‡ The kingdom is much obliged to his Lordſhip.

§ A mighty crime truly for an ally of Great Britain to have connection with the ſervants of the king of Great Britain.

‖ We know his Lordſhip was the firſt mover in this buſineſs. We are no ſtrangers to his viſits to the India Houſe, and his *proper applications* to the *Leaders* of the *then* Court of Directors. Time has unveiled the intrigues and influence uſed upon the occaſion.

England.

England after he had finiſhed it †. That the buſineſs of this place was ſo far confuſed, that it could not be ſettled by his hands; and that, no doubt, it was of great prejudice to him. *That the King and Parliament would do him great injury on account of this buſineſs, and would take his eſtate from him.* His Lordſhip ſaid, my ſituation is as when the General of an army picks out ſome men and ſends them to ſtorm a place; though they are killed, it is for the general advantage.—So I am going to Tanjore, and by *ruining myſelf* ‡, I ſhall eſtabliſh friendſhip between your Highneſs and the Company. His Lordſhip further ſaid to his Highneſs, For God's ſake ſettle my buſineſs, and give an order under your hand to the Hamildars of Tanjore. His Lordſhip then ſtood up, and reached a gum bottle, thinking there was ink in it, and took a pen out of his pocket, and laid his hands on his Highneſs's feet, and his Highneſs laid his hands on his Lordſhip's feet. The young Nabobs told his Lordſhip, that he was as a father to them, and begged that he would ſpare them in this buſineſs: that he had power and might do what he pleaſed. His Lordſhip perceiving that what he had ſaid had not effect, ſat down again, and told his Highneſs that he might be aſſured, that the friendſhip between him and the Company would be leſſened, and that he (his Lordſhip) wiſhed to increaſe it; and that the report which had prevailed of his Highneſs's withdrawing his confidence from the Company, and placing it in the *Miniſter's and King's people* might be removed; and that his Highneſs's goodneſs and reputation might be talked of. That when his Lordſhip had formerly departed for England, his Highneſs was a great Prince; and that when his Highneſs uſed to go to Tanjore, the Raja ſent his ſons and other ambaſſadors to him with preſents; and that when his Highneſs went farther, the Rajas of Nallacoty, Tondyman, and other Polygars, uſed to do the ſame; but that if he was to go there now, it would be ſome Conocoplys * bringing plantains that would come. That his Highneſs ſaid, that he would loſe his honour, but that he (his Lordſhip) ſaid it would be increaſed. His Highneſs got up in great concern, and went into another room. His Lordſhip ſaid, that as ſome people were blown up by the ſpringing of a mine, ſo ſhould he, for that the King and the Parliament would *cût off his head*; and that his houſe would be deſtroyed. Nevertheleſs, he would go and ſettle the Tanjore buſineſs, as he had un-

† Here his Lordſhip avows, that it was only to reſtore Tanjore he went to India.

‡ Credat Judæus.

* Inferiour Servants.

dertaken

dertaken it, let what would happen afterwards: that his Highneſs might remember this. Ameer-ul-Omrah told his Lordſhip, that if a man had committed a fault, and was to have his *head cut off*; if he aſked a little time, it would be given to him. That the Nabob was a true friend to the Company and the Engliſh nation, and had done the Tanjore buſineſs by the approbation of the Company, the Governor and Council, and now waited for an anſwer from the ſame Company; and now requeſted, that his Lordſhip would ſtay till it arrived: that it was ſurpriſing that his Lordſhip would not agree to it. His Lordſhip ſaid, that if any delay happened in this buſineſs, the people of England would think that he could not do it, and would ſend Mr. *Rumbold* here.—His Highneſs then returned from the room, and his Lordſhip took a paper out of his pocket and ſhewed it to him. It mentioned, that the Nabob would not agree to the order about Tanjore; therefore that his Lordſhip was going there, and intended to ſend Sepoys there. His Highneſs ſaid, why will your Lordſhip ſend Sepoys there? that country belongs to your *friend* not to your *enemy!*

The following is Lord Pigot's anſwer to the Nabob's letter of the 19th March. His Lordſhip deſerts the argument, and has recourſe to the poſitive orders of his *Maſters.*

Copy of a Letter from Lord Pigot to the Nabob, dated 22d March 1776.

To the Nabob.

I Have had the honour to receive your Highneſs's letter, dated the 19th inſtant, and after having paid the moſt reſpectful attention to every argument you have been pleaſed to enforce, I find myſelf obliged to obſerve, that the buſineſs of Tanjore has been well deliberated by *my Maſters*, has been by them condemned, and their orders in conſequence were not delivered to me, till after they had been laid before his Majeſty's Miniſters for their approval *.

Let me entreat your Highneſs to call to your remembrance, the difficulties you were able to encounter, when your friends power was united to

* This *pretended approval* was *ſurreptitiouſly obtained*, upon a ſtate of facts, which thoſe who procured the orders *knew* to be FALSE. This *impoſition* upon the Secretary of State, is expoſed in the *Obſervations* annexed to theſe Papers.

your

your own.—Remember that union was in the cauſe of juſtice, and in *that* cauſe only can they *be* united. What conſequences may attend *even the appearance* of a diſ-union?

My Maſters gave you their ſupport, when you were alike deſtitute of money and of power; they will continue their ſupport to you, but the *public faith is pledged* to the Raja of Tanjore †, as well as to your Highneſs; and the orders to me are, "That the country of Tanjore ſhall be again "put into the poſſeſſion of the Raja."

What words ſhall I uſe to induce your Highneſs to make this your *own act*, if all the arguments I have been able to ſuggeſt have not had their proper force; and with what an aching heart, after acting in concert with you through ſo many difficulties, ſhall I now carry the Company's orders into effect by *their* authority *alone?* The world will juſtify me in the obedience I ſhew to the command of my Maſters; and having never failed in the part of friendſhip, in *reſpect*, and in *propriety* of *behaviour towards you* *, I truſt I ſhall now ſtand excuſed, after the preſſing manner I have ſo often urged your Highneſs to do that what is right and proper, as well reſpecting your intereſt as your dignity.

I have the honour to be,
Your Highneſs's moſt obedient,
and moſt humble ſervant,
(Signed) PIGOT.

Fort St. George,
22d March 1776.

The following is a full and ſpirited anſwer to the above letter from Lord Pigot.

† He alludes to the treaty which he himſelf made with *Pertaub Sing* in the year 1762. The treaty was *forced* upon the Nabob, as appears from his letter to Mr. Pigot of July 17th 1762; beſides, the treaty terminated with the life of *Pertaub Sing*; and it had been broken by him, in all its articles.

* For the truth of this aſſertion, the conferences printed in this collection are recommended to the peruſal of the reader.

Tranſlation.

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 4th Sapher 1190 Hegira, or 25th March 1776.

I Have, on the 25th inſtant, received your Lordſhip's letter, dated the 22d March, and underſtand the contents thereof.—Your Lordſhip writes me, "that after having paid the moſt reſpectful attention to every "argument I have been pleaſed to enforce, you find yourſelf obliged to "obſerve, that the buſineſs of Tanjore has been well deliberated by your "Maſters, has been by them condemned, and their orders, in conſequence, "were not delivered to you, till after they had been laid before his Majeſ-"ty's Miniſters for their approval."

I have already wrote you, in my letter of the 22d January, or 29th Zecaud, the bad conduct of Tuljagee; his requiring aſſiſtance from the Morattas and Hyder Aly Cawn; his ſelling the countries of Tanjore to the Dutch and others, in order to obtain their aſſiſtance in deſtroying the Carnatic and my rights. This letter the Gentlemen of the Company have not yet received, nor have they been informed that the countries of Tanjore, belonging to the Carnatic, were ſold by Tuljagee to the Dutch, which he had no right to do; then how could they give orders on this ſubject? Were they (after they were well informed on this ſubject) to aſk my opinion, as I am their old friend, and have a knowledge of thoſe affairs, and have a right in them, I would agree that they decided juſtly in this buſineſs; but this is not the caſe. When the Gentlemen of the Company, who have their repreſentatives in this country, are not informed of the ſtate of affairs here, how can I imagine that their orders have been approved of by the King's Miniſters? In regard to the order which your lordſhip enforces, I have written to your employers, who are my friends, and have left this buſineſs to their juſtice and enquiry, and wiſh (through your favour) that you may not obſtruct my management in the Tanjore country, till you receive freſh orders. The revenues of that country are laid aſide for the payment of my creditors, who lent their money for that buſineſs.

Your Lordſhip ſays, "Let me intreat your Highneſs to call to your re-"membrance the difficulties you were able to encounter, when your friend's "power was united to your own; remember that union was in the cauſe of "juſtice,

"juſtice, and in *that* cauſe only can they be united. What conſequences "must attend *even the appearance* of a diſunion?"

I very well remember, that in the time of trouble my father aſſiſted the Company; and from the beginning of my connection with them and the Engliſh nation, I have been their invariable friend, in adverſity as well as in proſperity, and have been joined in alliance with them; and I am happy in the recollection of it. It is indeed very true, that my friends the Company juſtly remembered my former friendſhip, and gave me their aſſiſtance, through their great favour to me; and by the bleſſing of God, as long as I live and my poſterity remains, we will aſſiſt my beſt friends the Company, and we will not forget our obligations to them. I am deeply impreſſed with the friendſhip of the Company and the Engliſh nation, and my heart is ſo much affected by it, and the hope of its continuance in future, that I cannot expreſs what I ſhould feel from an appearance of its diminution. From the beginning my friendſhip with the Company and the Nation, and theirs to me, has been ſo firmly eſtabliſhed and known to the world, that it can never be diſſolved.

Your Lordſhip ſays,—"My Maſters gave you their ſupport, when you "were alike deſtitute of money and of power; they will continue their ſup-"port to you, but the public faith is pledged to the Raja of Tanjore, as "well as to your Highneſs; and the orders to me are, that the country of "Tanjore ſhall be put into the poſſeſſion of the Raja."

It is very true, that when my treaſury and power were *expended in the aſſiſtance of my friends the Company*, they gave me their aſſiſtance, for which I and my ſons are obliged to them. I have firm hope that they will continue it to me for ever, for they have ſtrongly promiſed it to me in their letters; and I place my dependence on the royal letters and promiſes of his Majeſty, and upon his having *included me in the Treaties with the other crowned heads*. I depend upon the letters of the Miniſters, who have written to me in the ſtrongeſt terms on the part of his Majeſty. I have already explained to your Lordſhip in my letter of the 22d January, how far the public faith was concerned in regard to Pertaub Sing, who broke it in his lifetime. Tuljagee likewiſe broke it, though I have proved that he was *not* concerned in it. I have alſo in the firſt paragraph of that letter given an anſwer in re-

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gard to the order of your employers, wherein they desire the country of Tanjore to be given up to Tuljagee.

Your Lordship says, "What words shall I use to induce your Highness to "make this your *own Act*, if all the Arguments I have been able to suggest have not their proper force; and with what an aching heart, after "having acted in concert with you through so many difficulties, shall I now "carry the Company's order into effect by their authority alone?"

I can scarcely say any thing further to your Lordship, having already set forth all the difficulty, loss, and disgrace to me, which will attend your carrying into execution this business in regard to Tanjore; and have begged, *in the name of the King, the Parliament, and the Nation*, that your Lordship would delay it, till you have the fresh orders of the Company; therefore am at a loss to express to your Lordship what pain my heart feels, nor can I explain (in the manner that I ought) what I suffer.

Your Lordship says, "The world will justify me in the obedience I shew "to the orders of my Masters; and having never failed in the part of "friendship, in respect, and in propriety of behaviour towards you, I trust "I shall now stand excused, after the pressing manner I have so often urged "your Highness to do that which is right and proper, as well respecting "your interest as your dignity."

Seeing the justice of the English nation, I hope that you will not act contrary thereto, and destroy the *rights* of the *old* and *firm friend* to the Company, and not hurt the honour of *the Ally of the King of Great Britain*.

I am sure, that in securing my honour and my rights, which is just the same as securing the honour of the King of Great Britain and the English nation, you will be clear in the eyes of his Majesty, *who is my protector*, the Parliament, the Company, and the English nation.

As it is well known to the powers of India, that his Majesty and the Company have promised me their support for ever, it will be for your honour, that you secure this reputation in the eyes of those powers; I firmly trust, that you will shew me favour in supporting my honour, and that you

will shew friendship and good treatment to the invariable friend of the English nation.

On the 26th of March, Lord Pigot came to the Nabob, about ten of the clock in the morning; and wrote the following paper, with his own hand, and delivered it to his Highness, in the presence of his five sons.

AS I am now going to Tanjore, I hope the Nabob will let the little time there is, be employed, in considering which way I can execute the Company's orders, the most to his satisfaction; and that when I come away from Tanjore, he will be so good as to let Nagif Cawn accompany me, as a guard; it will have a good appearance in the eyes of the world, and shew the faith and confidence Lord Pigot has in the Nabob's officers and troops."

Lord Pigot, the day after, sent to his Highness the following letter.

Copy of a Letter from Lord Pigot to the Nabob, dated 27th March 1776.

To the Nabob.

May it please your Highness, *Fort St. George, 27th March 1776.*

THE honour I have in acknowledging the receipt of your letter of the 25th, gives me another opportunity of expressing my desire to execute the orders of the Company, as conformably to your Highness's wishes, as the faith of my nation and my duty to my employers will admit.

I am, with the greatest respect and esteem,
Your Highness's most obliged,
and most obedient humble servant,
(Signed) PIGOT.

The Nabob, perceiving that Lord Pigot was resolved to carry into execution the orders with respect to Tanjore, made the offers contained in the following letter, as his last effort to save his rights.

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 7th Saphur 1190 Hegira, or 28th March 1776.

I Have received your Lordſhip's letter, dated 27th inſtant or 6th Saphur. I have already explained this buſineſs to your Lordſhip, by every means in my power, and I now again requeſt, that I may not be *obliged* to give up my rights. Conſidering my dependence on the nation, and the Gentlemen of the Company, who are your maſters and my beſt friends, I will (after diſcharging the debts which I contracted on account of the Tanjore country, and deducting the expences I have been at on account of that country, and the Engliſh garriſon which I received into the Fort) *keep the revenues in my poſſeſſion, without expending one ſhilling of them, till the further order of the Company arrives.* The difference between your Lordſhip's intentions and mine is this, your Lordſhip wiſhes to do this buſineſs by *force*, and without my *conſent*, and I want to *delay* it, till the Company's letter arrives from England. Do me the favour to attend to this repreſentation of your old friend.

Lord Pigot, deſpairing to induce the Nabob to relinquiſh his *rights*, left Madras on the 29th of March, to execute his deſign of reſtoring the Raja, in perſon. Having arrived at Cuddalore, and being pleaſed with the conveniences, which the Nabob had ordered to be provided for him at every ſtage, he wrote to him the following letter.

Copy of a Letter from Lord Pigot to the Nabob, dated 4th April 1776.

To the Nabob.

May it pleaſe your Highneſs,

I Will not offend with writing upon buſineſs, but I cannot avoid thanking you for your great attention in writing to your Hamildars and ſervants, who have ſupplied me upon the road with every thing neceſſary. I am now at Cuddalore, and ſhall proceed on my journey in the afternoon.

I am, with great eſteem,
Your Highneſs's
moſt obedient humble ſervant,
(Signed) PIGOT.

Cuddalore,
4th April, 1776.

The Nabob anſwered his Lordſhip's *polite* letter, in the following manner.

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 19th Saphur 1190 Hegira, or 9th April 1776.

I Have received your Lordſhip's letter, dated 4th inſtant, wherein you mention that you will not trouble me with matters of buſineſs, but you cannot omit thanking me for the great attention that has been paid you by my Hamildars; and that you leave Cuddalore that evening, with intention to proceed to Tanjore.

I am an old friend to the Company and to you, and think without doubt that your Lordſhip will neither ſay nor do any thing that will give me pain. I wrote to my ſervants to prepare every thing that might be neceſſary to your Lordſhip, and it was my duty to do ſo. The thanks which your Lordſhip expreſſes are returned on my part for your thinking yourſelf obliged.—But I ſhould have been glad if your Lordſhip had *returned to me*, from Cuddalore, inſtead of proceeding from thence.

On the 6th of April, Lord Pigot arrived before Tanjore. He encamped, for the night, on the glacis of the Fort; and, in the morning, went privately to wait upon the Raja. He went, afterwards, in ſtate, with his whole ſuite; and as the Raja (having declared, that had he the treaſures of the Mogul empire his *friend* deſerved them all) complained of the want of money, his Lordſhip told him, that he had brought all the moneyed men in the Company's diſtricts to ſee him. This was a genteel method of ſuggeſting a *loan* to an *unfortunate* prince, who had declared, ſome weeks before, he had only *twelve lacks* in reſerve, and his family jewels. The ſum was ſmall; but the ſtones were valuable. Notwithſtanding the *poverty* of Tuljagee, his Lordſhip was not wanting in paying him the reſpect due to his rank. He viſited him twice every day; yet the ceremony of the Reſtoration did not come on till the 11th of April, though his Lordſhip had arrived on the 6th. The intermediate time was filled up with *private* conferences, for the *ſervice* of the Company. During this week of ſuſpence, the Nabob reminded his Lordſhip in the following letter, of ſome late promiſes he had made.

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 10th April 1776, or 10th Saphur 1190 Hegira.

YOUR Lordſhip very well knows, that when it was agreed that the Company's garriſon ſhould be employed in taking care of the Fort of Tanjore, and that a number of my troops ſhould remain there, with Nagif Cawn at their head, as Killidar, your Lordſhip and I were concerned, that the troops there were ſo much in arrrear, as we apprehended that they might mutiny. Your Lordſhip then made me *ſtrong promiſes*, that you would not impede their receiving their pay out of the revenues of the country, according to the Tunkas I had given them; and you likewiſe *aſſured me*, that a thouſand of my Sepoys ſhould remain in the Fort, under the command of Nagif Cawn, and deſired that I would withdraw the others; and it was then determined between you and me, that they ſhould be cantoned at Cumbonum, and receive their pay, according to the orders I had given, on the revenues of that country. In conſequence of this, I wrote to Nagif Cawn, ordering him to give aſſurances to the troops that they ſhould receive their pay out of the revenues of the Tanjore country. This order I ſhewed to your Lordſhip, and you approved of it, and ſent it incloſed in your letter to Colonel Harper, to be delivered by him to Nagif Cawn, who accordingly received it from the Colonel. Nagif Cawn is therefore bound to pay the troops; and I have a great reliance on your Lordſhip to ſhew me favour in this buſineſs, according to *your promiſe*, that I may be clear of any demands on me from the troops.

The following proclamation is a matter of curioſity. Lord Pigot founds the reſtoration of the Raja, on a treaty *forced* by himſelf, or the Nabob, in 1762; as appears from the Nabob's letter of the 17th of July 1762. The treaty was to continue in force, *only* during the life of *Pertaub Sing*; his Lordſhip's *very good friend*. But his Lordſhip makes it here to ſuperſede not only the poſterior orders of the Company, and the repeated annulments of the treaty itſelf, but even the national guarantee, entered into by his Majeſty, and approved by Parliament.

Tanjore

Tanjore, 11th April 1776.

IT is the right honourable Lord Pigot's orders, that the following proclamation, this day made public on the reſtoration of the Raja to the Muſnuk, be read at the head of each corps, and explained to the Seapoys of the different battalions at 7 o'clock.

By order,

(Signed) ROBERT WOOD, Aid de Camp.

The right honourable Lord Pigot, Preſident of the Council for affairs of the Eaſt India Company on the coaſt of Choromandel, and governor of Fort St. George, &c. To all whom it may concern:

"Whereas a treaty was concluded in 1762, between the Nabob of the Carnatic, and the Raja of Tanjore, to which treaty, *the Engliſh* became *guarantee*; and whereas, in *direct violation of the above treaty*, the *troops* of the Eaſt India Company, at the *inſtigation* of the *ſaid Nabob*, did remove the Raja from his government; the Eaſt India Company diſapproving the conduct of their ſervants, have thought proper to require, that the Raja be again reſtored; and in virtue of the orders of the ſaid Company, all officers civil and military, and all perſons under the protection of the ſaid Company, are hereby required to conſider the Raja of Tanjore as again reſtored to the government of his country in the full extent of that government, *as at the concluſion of the treaty of 1762*, and to give him all proper aid and aſſiſtance; dated in Tanjore, this 11th day of April 1776.

(Signed) PIGOT."

The Raja made his appearance a quarter before three in the afternoon; on his appearance on the parade, he was ſaluted with 21 guns, and then was carried round the capital ſtreets, accompanied by the troops of cavalry, the grenadier company of Europeans, the artillery two guns, and ſix companies of grenadier Seapoys, his Lordſhip, &c. and on the Raja's return, he went round the ſquare, was ſaluted by all the officers as he went round; on his going in into the palace, a ſecond ſalute and three volleys of ſmall arms by whole troops; and at 8 o'clock at night, the Raja, in company with his Lord-

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ſhip, Meſſ. Dalrymple, Jourdan, Benfield, and Chambers, Colonel Harper, captains Wood and Thomſon, ſat at the couchery, and read the above proclamation in Maratty language, in the preſence of all the Madras merchants and the people of that place; and then all the Madras merchants went with his Lordſhip, Namid Moodu-Kiſtnah, Chippermall Chitty, Chocapah Chitty, Sunca Ramy Chitty, Arnachitte Chitty, Gandavady Suly Chitty, Bugavan Puntaloo, and Ballur Moodu Chitty, and alſo Sree Salupudy and Irſhippah Chitty of Cuddalore, merchants; they all paid their reſpects to the Raja, with the uſual Nazir of a few pagodas and few gold mohurs, and received Beetle-nut and Roſewater as cuſtomary: Thus ended the ceremony. It was remarked, that the day of Tuljagee's reſtoration was one of the hotteſt in the ſeaſon; yet Lord Pigot, in full dreſs, was carried, without a hat, in an uncovered Palanqueen; ſuch was his zeal for the ſervice!

Though Lord Pigot ſpent many days at Tanjore after the Raja's reſtoration, we do not find him employed in any very important buſineſs. He ordered, it is true, one Cummerow, a man of large property, to be *chabucked*, or whipped on the public parade, for going to viſit the Raja without previouſly aſking his permiſſion; and he commanded, that a poor ſhipwrecked Dutch pedlar, ſhould be bound, on his horſe, with his face towards the tail; and ſo to be driven out of the town, for preſuming to enter it, without his Lordſhip's leave. During theſe acts of *ſummary juſtice*, he wrote the following letter to the Nabob.

Copy of a letter from Lord Pigot to his Highneſs the Nabob, dated 20th April 1776.

May it pleaſe your Highneſs,

I HAVE had the honour to receive your two letters of 10th April. It would have given me great pleaſure, if you had condeſcended to attend to my advice when I was at Madraſs, as it would have made my journey to theſe parts unneceſſary. Be aſſured, Sir, that I will do every thing in my power to protect your rights, and that I will never interfere in *your buſineſs*, as you are pleaſed to expreſs yourſelf, but when that *buſineſs* is connected with the intereſt of my employers; in ſuch caſe, you may be aſſured, that I ſhall

ſhall always act as appears to me proper, and as you are their old friend and ally, I dare ſay you will approve of my making uſe of your authority.

When I took my leave of you, I acquainted you I was going to Tanjore to replace the Raja in his government, and put him in poſſeſſion of his country by the authority and expreſs commands of the Company. I am ſorry to obſerve to you, that I found, as I paſſed through the country, the proper officers, with all the accounts, had been removed, by your orders, from every village; and I was ſoon informed, that every part of the country was in the ſame ſituation. Every means had been taken to throw difficulties in my way in the execution of the Company's orders, and to diſtreſs the country and inhabitants. In this ſituation, Sir, I thought it the propereſt method to eſcort the Dobeer hither by the Company's troop of cavalry. He is now here, and having been at the head of the revenue department, formerly in the ſervice of the Raja, and lately in yours, if you will pleaſe to order the different Amildars and other officers to return to me with their accounts, juſtice may be done to every man, and the country reſtored in that proper and equitable manner which the world will expect from a friend and old ally of the Company.

It is very true, Sir, that I, as well as every friend you have, and every friend and well-wiſher to the proſperity of the Company, were, are, and muſt continue to be alarmed at the great arrears of pay due to your troops. Perhaps, Sir, it might be made appear, that as much money has been collected from the Tanjore country ſince you were acquainted with the Company's orders *, as would have paid the troops of Najib Cawn, and gone a great way towards diſcharging the arrears due to the reſt. If you turn back to the letters which have been wrote to you, you will find that it was expreſsly inſiſted upon, that an Engliſh garriſon ſhould be put into Tanjore and the Raja ſet at liberty, *without any terms* †; terms would have been diſgraceful on that occaſion.

I always thought that you and your managers had great merit in being able to remove a body of troops to whom ſuch large arrears were due, but I

* This is a miſtake or miſrepreſentation, as will appear from the Nabob's anſwer.

† The reader is requeſted to look back to the Nabob's letter of the 10th of April. It ſeems his Lordſhip's promiſes were verbal, and therefore not *binding*.

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never made you any promiſes *on the part of the Company* *; you know well, they had directed the country to be reſtored to the Raja.

There was one method, and but one which ever occurred to me, likely to relieve you from that burdenſome debt due to your troops. I repeatedly told you of it, and I will do ſo now. It was, that if you would conſent to the diſbanding theſe troops, or to the Company's enliſting into their ſervice ſuch of them as I might chuſe to accept of, I would uſe my *endeavours with the Raja of Tanjore* † to ſuffer a part of the revenues of his country to be applied to the purpoſe of paying off their arrears; but as this is what you would not hearken to, I ſee not at preſent how the Company can be of any ſervice to you upon the occaſion. I tell you again and again, that troops *ill-paid will always be the maſters of the man who employs them.* Thoſe you have, if they do not diſband themſelves, which I underſtand ſome of them have done, muſt be diſbanded by your Highneſs, or you will be more and more diſtreſſed.

I have the honour to be

Tanjore, 28th April 1776.

your Highneſs's moſt obedient humble ſervant,

(Signed) PIGOT.

Lord Pigot, having *whipt* Cummero, and *bound* the Dutchman on his horſe, with his face towards the tail, applied himſelf to other affairs of no leſs importance. He ordered *hoſtile incurſions* to be made into the Nabob's other countries, to ſeize his ſubjects by *force of arms*, and to bring them priſoners to Tanjore. The news of theſe outrages arriving at Madras, the Nabob addreſſed the following letter to the Council.

* But his Lordſhip made promiſes on his *own part*.

† It is pity his Lordſhip has not called Tuljagee *King* of Tanjore. He had the authority of *his Maſters* for that appellation; while, at the ſame time, they diveſted the Nabob of Arcot, in their inſtructions to his Lordſhip, of the title of Highneſs beſtowed upon him by *their own Maſter*, the King of Great Britain. They call the Nabob only *his Excellency*, an appellation uſurped by every petty Polygâr.

Tranſlation

Tranſlation of a Letter from his Highneſs the Nabob, to the Preſident, Governor and Council of Madras, dated 21ſt April 1776, or 2d Rabbelowell 1190 Hegira.

IN the *fulneſs of my heart* I now write to you!—I underſtand, by a letter from the Hamildar of Arrialore, that ſixty European horſe belonging to the Company, commanded by their officers, together with ſome of the Company's Sepoys, came from Tanjore, and having croſſed the Covey and Colleroon rivers, ſuddenly entered Arrialore, which is *in my country*, and in the diſtrict of Trichinopoly; they ſurrounded the houſe of Dubeer and Butchenna, and others *my ſervants*, turned out by *force* my guard, and in their place put an European one. They then carried away by *force of arms*, as they would priſoners from an enemy's country, my people, together with my papers to Lord Pigot to Tanjore *. The coming of thoſe troops, which are his Lordſhip's *body guard*, into my country in a *hoſtile manner*, and carrying away my people and my papers, which are my moſt ſacred property, by *force*; contrary to the friendſhip, faith and honour of the Company, who are protectors of my honour and dignity in my dominions, is contrary to the *Guarantee* of the Engliſh nation to me, and a violation of the alliance of the King of Great Britain with me. Such a violent proceeding has not only deſtroyed the peace of my country and my authority as Sovereign, but has alſo been prejudicial to the honour of the whole Engliſh nation.—My ſubjects are all *aſtoniſhed!* and ſuch confuſion has been thrown into my affairs, as Prince of this country, as I cannot poſſibly explain. I cannot now know what is my right, or what is not; nor in what I have or have not authority; nor how I can give the people of my country ſupport! You, Gentlemen, very well know, that I am unacquainted with the extent of Lord Pigot's powers in this buſineſs; but I truſt, that my friends, the Engliſh, will ſupport my authority in my rights, as a Sovereign, as an ally to the King, and a firm friend to the Company; and that they will ſatisfy me in their juſtice.

* This is the outrage which the Supreme Council at Bengal ſay, in their letter of May 15th to the Preſidency of Madras, *requires explanation*; as being "a violation of the independent "rights of the Nabob of the Carnatic; in which character Mahommed Ali Cawn is acknow-"ledged by the treaty of Paris, and is not warranted by the Company's orders."

I

I am

I am ſo afflicted in my heart, that I am not able to ſay any thing more to you on this ſubject.

The outrage complained of in the preceding letter, is more particularly ſpecified in the following.

Tranſlation of a Letter from Conarirow Hamildar of Arrialore belonging to the Subah of Trichinopoly, to his Highneſs the Nabob, dated 23d Sheeffre 1190 *Hegira, or 13th April* 1776, *received 17th April.*

ON this day, being the 23d Sheeffre, about twelve o'clock at noon, there ſuddenly came here from Tanjore, ſixty European horſe belonging to the Company. Narrow Pundet Dubier and Butchana, ſervants to the Circar, were here. The Europeans rode up to the door of the houſe in which they were and diſmounted. The commanding officer, a Deebah and a Brahmin went into the houſe, where the Deebier and Butchana were, and *God knows what they ſaid.* The commanding officer ſome time after came out of the houſe, and obliged to come out the Sepoys of the Circar, who were with the Deebier as a guard, and placed an European guard on the houſe. No one was permitted to go in or out; and it is reported, that as ſoon as it was night, the European horſe went off for Tanjore, and carried priſoners with them, the Deebier and Butchana, together with their papers. I will inform your Highneſs of what may further happen.

The following is the copy of a letter from Lord Pigot, to Major Martinz, who commanded the Nabob's troops at Tanjore, before that place was given up to the Raja.

Major Martinz.

SIR, *Tanjore, 21ſt April* 1776.

I Received from Captain M'Kenzie, a letter of the 15th, incloſing a repreſentation which you had made to him; and I anſwered his letter in ſuch a manner, as I thought would have prevented any inconvenience of the kind you mentioned. This letter muſt have miſcarried; I therefore ſend him another copy, and I have directed him to releaſe your people. Your own prudence will ſhew you, how difficult it will be to prevent diſputes ariſing,

ariſing, whilſt any of the troops of the Nabob remain in parts of the Tanjore country, where the Raja's ſervants are protected by the Company, in the collection of the Revenues; as ſuch diſputes would doubtleſs give the Nabob much uneaſineſs. You will therefore pleaſe to conſider *this* as *ſufficient authority* to remove without the limits of Tanjore. I am,

SIR,

Your moſt obedient humble ſervant,

(A Copy.) PIGOT.

Major Martinz, Commandant for the Nabob at Tanjore, had ſent the following ſpirited paper to Lord Pigot.

Tranſlation of a Paper ſent by Major Martinz.

AS your Lordſhip has not brought any order from my maſter for me to give up my power and an account of the revenues of this country to your Lordſhip, I cannot obey your Lordſhip's orders; but I, as well as all the world, know that there is great friendſhip between the Eaſt India Company and my Maſter; therefore I cannot oppoſe your Lordſhip. I know very well that the Nabob my Maſter would be diſpleaſed if I conducted myſelf improperly towards the Company's people, and it is always his order to his ſervants to conſider his honour and the Company as the ſame. His ſervants, therefore, ſtrictly attend to this order. If any thing ſhould happen contrary to the intereſt of my Maſter, your Lordſhip is anſwerable; and I declare publickly, in his name, that it is contrary to juſtice, and the intention of his Majeſty the King of Great Britain, who is Protector to my Maſter, and contrary to the intention of Parliament and the Engliſh nation, that your Lordſhip is going to *oppreſs him.*

Major Martinz, Commandant for the Nabob in Tanjore, wrote from Amma Chattram the following anſwer to Lord Pigot's Letter of the 21ſt April.

Copy of a Letter from Major Martinz to Lord Piget, dated 22d April 1776.

The Right Honourable Lord George Pigot.

May it pleaſe your Lordſhip,

I Acknowledge the honour of your Lordſhip's letter to me, and I am glad to find that your Lordſhip has taken into conſideration the *unjuſt* confinement of the Subadar.

Your Lordſhip has been pleaſed to order, that I ſhould move without the limits of Tanjore, as it would be difficult to prevent diſputes ariſing whilſt any of the Nabob's troops remain in any part of the Tanjore country, where the Raja's ſervants are protected by thoſe of the Company in the collection of the revenues.

I beg leave to repreſent to your Lordſhip, that at the time I was ordered to march out of Tanjore, a garriſon was then under my command, conſiſting of about five thouſand men, who were many months in arrears of pay. His Highneſs the Nabob wrote to me, that the whole ſhould, without the leaſt doubt, be paid at Combaconum, and that your Lordſhip had *agreed to the ſame* *; in conſequence of which, as likewiſe by a prudent method, the garriſon marched out; and now I find myſelf much diſappointed, and in a very diſagreeable ſituation.

In a letter which the Nabob wrote to me, dated the 31ſt of March, I am acquainted that after your Lordſhip's arrival at Tanjore, and all the country matters were ſettled, the troops under my command, diſperſed about the country, were to join me at this place, in order that the whole might be paid off, *your Lordſhip having ſo promiſed*; and that I was to remain here until further orders: therefore ſhould I march from hence without orders, ſuppoſing that the troops would accompany me, (which I doubt much without firſt being paid off) though authoriſed by your Lordſhip, I might be blamed by the Nabob, and perhaps my commiſſion taken from me. I will

* There was ſome *Jeſuitry* in this affair. A promiſe was made, but as it was made by *Lord Pigot* and *not* by the *Preſident* of Madras, it was evaded; beſides, the promiſe was merely *verbal*, and *therefore* not *binding*.

immediately

immediately acquaint his Highneſs the Nabob; until ſuch time that I am able to get an anſwer, beg leave to remain; likewiſe it will be ſome few days before all my people come in from the different parts of the country to join me.

I muſt further beg leave to repreſent to your Lordſhip, that from the time that each province or each village was put into the reſtored Raja's poſſeſſion by the protection of the honourable Company's forces, not a man belonging to his Highneſs the Nabob has *oppoſed*, *prevented*, or *interfered*, in the collecting of the revenues, or the ſettling of the country matters.

The protection of the honourable Company to the reſtored Raja, cannot exceed that to his Highneſs, as every one is well convinced of the alliance and friendſhip that has and will exiſt between them.

As the Nabob wrote to me that the troops under my command ſhould be paid off before I ſhould be ordered to march, it being your Lordſhip's intentions, I beg to know; and have to requeſt of your Lordſhip, what meaſures are to be taken on this head. I had an order on this country for the payment of the troops, but the change of government has put an entire ſtop to its being paid.

Myſelf, as well as other European officers, have been at the *expence of building* * and repairing quarters, when in the garriſon of Tanjore, the liſt of which was ſent to his Highneſs the Nabob, amounting to 7000 pagodas, who has been pleaſed to ſend up an order on this country for its payment, but it has likewiſe been put a ſtop to.

I ſhould not trouble your Lordſhip with ſuch a long epiſtle, but knowing your Lordſhip's good inclinations towards giving juſtice to every individual, has been the reaſon of my being ſo bold; and ſo far from thinking your Lordſhip

* Many of thoſe officers were forced to remove from houſes, *their own property*, by the violence of his Lordſhip; particularly Mr. Salmon paymaſter for the Nabob at Tanjore, though lying in bed of a dangerous illneſs, was turned out of a houſe he himſelf had built.

will

will take it amiſs of me, that I hope, and make no doubt, but that it will meet with your Lordſhip's approbation.

I have the honour to be
with the greateſt reſpect,
My Lord,
Your Lordſhip's moſt obedient,
and moſt humble ſervant,
(Signed)

Amma Chattram,
April 22d, 1776.

The Nabob complains, in the following letter, of the *hoſtile* incurſions made into the territories of the Carnatic, by Lord Pigot's orders; under the *falſe* pretence of the diſtricts invaded being a part of the province of Tanjore.

*Tranſlation of a Letter from his Highneſs the Nabob to Mr. Stratton *. Dated April 27th 1776, or 8th Rabelowell 1190 Hegira.*

I Have, in my letter of the 2d Rabelowell, explained to you my uneaſineſs of mind; I am now informed that the Company's Sepoys are marched to take poſſeſſion of ſome diſtricts of Ramnade and Shevagunga, on the *groundleſs repreſentations* of Tuljagee, who ſays that they *belong to Tanjore.* The countries of Ramnade and Shevagunga never depended on Tanjore, but were diſtinct countries; but ſome time ſince, in the government of Mr. Du Pre, Tuljagee (preſuming on his power) took poſſeſſion of ſome diſtricts of thoſe countries, for which he was puniſhed; and he gave it under his hand, that he would not in future take any ſuch liberties: therefore I am now very much ſurpriſed, that the Company's people ſhould march into thoſe countries on the falſe repreſentations of Tuljagee. Before Lord Pigot ſet out for Tanjore, I ſent orders to the Hamildars in that country not to oppoſe any one ſent by his Lordſhip. Though my people were very numerous, they gave no oppoſition, even to ſingle guards of the Company's Sepoys ſent by his Lordſhip, though they treated them worſe than *enemies* would have done, and put my principal people in priſon, who quietly ſubmitted to it. The countries of Ramnade and Shevagunga by no means depend upon Tanjore, as is known to every one; therefore I ſent no orders to my Hamildars in

* The acting governor, during Lord's Pigot's abſence from Madras.

Ramnade.

Ramnade. I therefore requeſt that you will inform me what orders I am to ſend to my Hamildars there, in this buſineſs.

Nigif Cawn, the Nabob's military governor at Tanjore, wrote the following ſenſible letter to his Maſter, concerning the hoſtilities committed by Lord Pigot. He informs him by report, that the outrages complained of in the preceding letter were intended by his Lordſhip.

Tranſlation of a Letter from Nigif Cawn to his Highneſs the Nabob. Dated 25th Saphur, Monday 15th April 1776.

AFTER a great deal of trouble, I could not obtain more than a hundred and ninety bullocks, and I very much wanted to go to Arrialore. Theſe bullocks I divided amongſt your Highneſs's ſervants, by giving to each of them one or two. This day the Company's troopers who went to Arrialore, returned, and brought with them, by *force*, the Debir, Bachannah, &c. and others of your Highneſs's ſervants to Tanjore. Lord Pigot is gone to Vellum, and laſt night the Killedar there wrote to me to know what he was to do. I wrote him in anſwer, that we were ſo ſituated that matters were carried on by *force*, and ſhould he be *turned out by force*, he ſhould go with his people to Arrialore. People ſay that Lord Pigot wants to take Chivagunda, Ramanade, and other forts in that neighbourhood by his own power, on which he places great *value*; and it is my opinion that it is not far from his intention. Your Highneſs, therefore, does well, in *ſilently expecting juſtice* from his *Lordſhip's Maſter* * for his violent proceedings. God is your ſupport, and you may expect juſtice without uneaſineſs, from his Lordſhip's *Maſter*, for all will end well. I have not yet heard that Nizam Udein Cawn has left Cumbeconum. The Company's people have got poſſeſſion of the villages in this neighbourhood, and have, no doubt, before this poſſeſſed themſelves of all the country.

The following letter from Major Martinz to the Nabob contains the particulars of the hoſtilities committed by Lord Pigot's orders, at Cambeconum.

* The King of Great Britain.

To his Highneſs the Nabob Wallejaw.

May it pleaſe your Highneſs,

I Am ſorry to acquaint your Highneſs, that yeſterday the 14th inſtant, as I was at the Cutchery, with Nizam Mooddein Hummed Cawn, and ſeveral of the horſemen, a company of the Honourable Company's Sepoys, who in the morning arrived at *Combeconum*, and halted at the *Palace-gate*, came about twelve o'clock at noon into the *Cutchery* and ſaid, that it was Lord Pigot's orders delivered to him, by Captain M'Kenzie, that he, the Jemidar, ſhould apprehend the head manager of *Combeconum*, and make him tye the Zorran; and alſo beat the Zom Zom, and publiſh through the town, that henceforth no orders from your Highneſs, or any of your Highneſs's ſervants, were to be obeyed in the country. The manager was at this time in the garden, and whilſt the Jemidar was talking to me, four Sepoys had ſeized upon him, and were pulling him away by force.—We remonſtrated with them, and told them, that we had received no orders from your Highneſs concerning ſuch proceedings; and that we could not give our conſent thereto: To which the Jemidar replied, that ſuch were his orders, and that he muſt comply with them, whether we chooſed or not. We then told him, that all the world knew the friendſhip that ſubſiſted between the Honourable Company and your Highneſs; and that your Highneſs would be very much diſpleaſed, ſhould we offer any violence, offenſive or defenſive to the Honourable Company's ſervants, on this or any other occaſion, and declared that it was a palpable violence done againſt your Highneſs; and that they, the Company's ſervants, were to be anſwerable to your Highneſs, for all the damages that might occur from ſuch proceedings. The Jemidar returned for anſwer, that it did not concern him, but that he muſt comply with his orders; on ſo ſaying, the manager was pulled away by four Sepoys from our preſence. A little while after, the Zoran was tyed, and the above-mentioned publication made through the town.

About half after ſix at night, Captain M'Kenzie with a battalion of the Honourable Company's Sepoys arrived, and with him one Hiſſindrow, a head Renter appointed by the Raja for that diſtrict. The ſaid Captain came to the Cutchery, and told me and Nizam Moodeen Hammed Cawn, that it was Lord Pigot's poſitive orders to him, to march to *Combeconum* with his battalion, to take the ſaid Hiſſindrow, and to ſee him placed and eſtabliſhed head

Head Renter of this diſtrict; and that the Cutchery was to be cleared off for him immediately, and that we might go where we pleaſed.—We told Captain M'Kenzie, that we were placed in our different ſtations by your Highneſs, and that we could by no means, willingly conſent to their proceedings. Captain M'Kenzie replied, that ſuch were his Lordſhip's orders, and he was obliged to obey: adding, that we muſt leave the *Cutchery*. We then told him, that we and all the world knew, the friendſhip and alliance that ſubſubſiſted between your Highneſs and the Honourable Company and the Engliſh Nation; and that your Highneſs would be exceedingly diſpleaſed were we to offer any violence, offenſive or defenſive, againſt any of the Honourable Company's ſervants; and that this proceeding was an unjuſt violence againſt your Highneſs, contrary (as we imagined) to the will of his Britannic Majeſty; and that we therefore expected his Lordſhip would be anſwerable to your Highneſs, for any damages that might occur, from our being forced away from our ſtations in this country by his Lordſhip, without your Highneſs's order to us. We then went away from the Cutchery, and the ſaid Hiſſandrow ſat and took poſſeſſion of it, where crowds of the inhabitants aſſembled.

I ſhall do myſelf the honour to acquaint your Highneſs of any thing elſe that may happen. I have the honour to be,

May it pleaſe your Highneſs,

Your Highneſs's moſt obedient, moſt humble, and moſt faithful ſervant,

Amma Chattram,
April 15, 1775.

(Signed) M. MARTINZ.

The following letter to the Nabob, is on the ſame ſubject.

Tranſlation of a Letter from Nizam Udeen Achmed Cawn at Cambeconum, to his Highneſs the Nabob, dated 24th Souffee, or 14th April 1776.

AT ſeven o'clock this evening, ſome Hircarrahs belonging to Tuljagee came to Papanaſſy, and with them were fifty Sepoys. Upon being aſked who they were, the Sepoys anſwered, that they belonged to the Company, and were come with orders to the Hamildars, for them to deliver up to them the poſſeſſion of the Papanaſſy country. The Hamildar told them, I am the Nabob's ſervant, what buſineſs have I with your orders?

Upon this the Sepoys ſeized the Hamildar, his Piſhcar and Ameen, and carried them to the Cutchery, where they confined them under a guard. I hear that one battalion of Sepoys and two Guns have marched from the Fort of Tanjore for Cumbeconum, and that they are advanced half the way. I have given notice to all the Hamildars, and now write this for your Highneſs's information.

The writer of the following letter is a foreigner and not maſter of the Engliſh language. Some further hoſtilities committed by Lord Pigot.

Copy of a letter from John Henry Pickard to his Highneſs the Nabob, dated 15th April 1776.

His Highneſs the Nabob Waielaugaiee, &c. &c. &c.

May it pleaſe your Highneſs,

I MAKE bold to acquaint your Highneſs, that the 13th inſtant I was ordered by Major Martinz, to go to Mayavaram, and there to ſtay by the four companies of my battalion, and to be in conjunction with Albrur Cawn Cawnſahil, in caſe the Company's troops were to come and drive us out of the country, that we ſhould by no means make any reſiſtance againſt them. With this orders I arrived here the ſame evening, and this morning at 8 o'clock, one guard and three Arcars came into this place. I ſend my adjutant Zemindar, to aſk them where they come from, and where they was to go to, and whom people they were. They made anſwer to my Zemindar, that they came from Tanjore, and they belong to the Raja, and ſo they went on to the Hamildar houſe; and Cawn Saib here had a guard over the Amuldar of my people, and he had ſend for him ſeveral times, but he did not come; but when thoſe guard from Tanjore, and the Arcars came to him, he then got up and came to Cawn Saib with my guard and the others along with him. Cawn Saib and I, we both aſked the Havildar of the guard and the Arcars whoms people they were, they made anſwer the Raja's, and the Arcars had an open paper in their hands, which they ſhewed to Cawn Saib, but it was for the Amildar from the Raja, wherein he deſires him to keep the rent from this country for him, and not to pay a lack more to your Highneſs. Cawn Saib and I then made anſwer, that we knowed nothing about the Raja of Tanjore, but your Highneſs was our maſter, and the country

country and revenues belonged to your Highneſs, and the ſame Amildar or Renter was yours, ſo that we did not know any thing about the Raja at all, ſo they might go where they pleaſed; as for the Amildar and country they had nothing to do with it. Upon that the Arcars wanted to talk more; Cawn Saib then told them, that he had nothing to do with them, they ſhould go about their buſineſs, if not he would drive them away; upon that the Havildar of the guard ſaid, that they were Company's people, were ſend by Lord Pigot's orders with this Arcars, to take poſſeſſion of this country for the Raja, and they belonged to Captain Mackenzie battalion, and their captain would come to-morrow or next day with the battalion. Cawn Saib and I then told the Havildar, Very well, if you are Company's people, and ſend by Lord Pigot's orders, we will not mattel with you, but that we cannot leave the country without an order from our maſter, and we will immediately write to the Nabob about it, and likewiſe to Major Martinz, and if we do get an order from them, that we ſhall give the country up to you, we then will do it, but before we cannot; and if your captain comes with his battalion and drives us away by force, we then cannot help ourſelves; but muſt go, as the Company and Nabob are in very great alliance together, we muſt ſuffer to be drove away without reſiſtance; but hoping that Lord Pigot, or who comes to drive us away in his name, will be anſwerable to the Nabob for all the loſs and ill-treatment. Upon that the Havildar ſaid nothing for ſome time, after that they wanted to take the Amildar away, out of Cawn Saib's houſe, in order they might go and tye the Turane for the Raja; Cawn Saib then told them again, I have told you before, that this Amildar is in the Nabob's ſervice, and Amildar of this country, and great quantity of accounts in his charge. I therefore cannot let him go with you. If you have orders from your maſter to make force with us here, or to take the Nabob's renters by force, that is indied more than ever is heard of as yet. In the mean time, one Nagues guard more came to join the Havildars guard, and when the two guard got together in Cawn Saib's houſe, the two Amildars were ſitting cloſe by Cawn Saib, when they laid hold of them and pooled both the Amildar away from Cawn Saib, which was 3 o'clock in the afternoon, and ſo they begun to tye new Turns in the Raja name. I humbly beg your Highneſs pleaſes to be ſo kind and ſend me an order what I am to do in this caſe, to be drove away

out

out of the country by two guards of Sepoys; so I beg leave to remain with the greatest respect,

Your Highness's
most devoted, most dutyful,
most obedient and most humble servant,
JOHN HENRY PICKARD.

Mayararum,
15th April 1776.

The same apology with regard to the language must be made for the following letter from the same officer. More hostilities.

Copy of a Letter from John Henry Pickard to the Nabob, dated 16th April 1776.

To his Highness the Nabob Waulaujah, &c. &c. &c.

May it please your Highness,

I Have done myself the honour yesterday to acquaint your Highness of what has happened here. Now I make bold to lay before your Highness's feet, that last night one company more of the Company's troops arrived here, and there has been one Amildar, which the two guards yesterday did not take; but this morning, after that company is came here, they have send four guards to his house, and brought him prisoner to the Cutchery; and after that, they send one guard to Abrai Cawn Cawnsaib's house, to take away all the Circar's accounts; and is short, they send all round about, to catch all the Sarcars, Mussadirs, and all the writers, and Abrai Cawn Cawnsaib; he is afraid that they will lay hold upon him very soon, if he stays here any longer, he therefore has desired me to march to Amma Chetrum, as soon I do get my people together, which I told him that I cannot do, or I cannot leave this place without an order from your Highness, or else from my commanding officer, Major Martinz. I have likewise been informed, that Lord Pigot has send the European troop and two companies of Sepoys to Argalore; and they have carried the Dubin prisoner to Tanjore, and this morning one officer and one company of Sepoys is gone by here to Shealy, and Good knows how soon they do drive me and my people out of this place, as the Bramineys have this day drove the butcher out of the place, who has been here ever since our people have been here. This is the way they do go on with your Highness, and that in your Highness's own country.

I am

I am indeed at a loss to know your Highness's kind pleasure, I therefore humbly beg your Highness to honour me with your kind orders; so I beg your highness's kind leave to remain with the greatest respect,

Your Highness's
Most devoted, most dutiful, most obedient,
and most humble servant,
JOHN HENRY PICKARD.

Mayararum,
16th April 1776.

The Nabob sent the following answer to Lord Pigot's letter of the 20th of April; a very spirited letter! it overturns his Lordship's arguments, and accuses him of breaches of *verbal* promises.

Translation of a Letter from his Highness the Nabob to Lord Pigot, dated 10th Rabbelowell 1190 Hegira, or 29th April 1776.

YOUR Lordship's letter of the 20th instant, written in the English language, has been presented to me. I am in sorrow; but so much of the meaning as I understand, I will answer.

Your Lordship says, "It would have given me great pleasure, if you had "condescended to attend to my advice when I was at Madras, as it would "have made my journey to these parts unnecessary."

From the beginning of my firm friendship with the Company and the English nation, I have always taken the advice of the deputies of my best friends, as they protected my honour and rights; but when their advice was repugnant to my honour and interest, I then explained to them my situation. Your Lordship well knows, that after your arrival, when I understood the Company's order, which you brought out, relative to that country, I agreed cheerfully to receive the Company's garrison, though I was sensible that the order had been given by the Gentlemen in England, from *their want of information** in the true state of affairs here. This I always uniformly represented to you, and very earnestly requested your permission to lay before the Company the true state of affairs, and that you would delay interfering in my rights, till the Company had considered this business, and given their answer. Notwithstanding this would not have been of any pre-

* This has been fully and repeatedly explained.

judice

judice to the Company, your Lordſhip would not agree to it, but ſeemed *inclined on going yourſelf to Tanjore* *. I repeatedly told you that a ſingle Peon belonging to the Company would be ſufficient for that buſineſs, becauſe my people had my orders againſt giving any oppoſition to the Company's people, therefore that your going was *unneceſſary* †.

You ſay, " Be aſſured, Sir, that I will do every thing in my power to " protect your rights, and that I will never interfere in *your buſineſs*, as " you are pleaſed to expreſs yourſelf, but when *that buſineſs* is connected " with the intereſt of my employers; in ſuch caſe you may be aſſured that I " will always act as appears to me proper, and as you are their old friend " and ally, I dare ſay that you will approve of my making uſe of *your au-* " *thority*."

I thank you for your good diſpoſition to protect my rights, and not to interfere in *my buſineſs*, and will be more thankful to you if you do ſo in future. From the beginning of the friendſhip between the Company and me, I have with all my authority, on every opportunity, contributed, and ever will contribute, to the intereſt and advantage of the Company, and they (who are my beſt friends) have always conſidered our mutual intereſt. I hope in God that our friendſhip will not be diminiſhed during the lives of me and my poſterity. You yourſelf may judge, if I, who am the *ally of the king of Great Britain*, and the firſt friend of the Company and the Engliſh nation, can approve of my authority being made uſe of in hurting my honour and deſtroying my rights. I never gave my conſent in this buſineſs, but have always uniformly expreſſed my diſapprobation of it, both verbally and in writing, which will appear by my letters of the 22d and 25th January, 3d and 26th February, and 19th, 25th, and 28th March laſt.

Your Lordſhip ſays, " When I took my leave of you, I acquainted you " I was going to Tanjore, to replace the Raja in his government, and to put " him in poſſeſſion of his country, by the authority and expreſs commands of " the Company. I am ſorry to obſerve to you, that I found, as I paſſed " through the country, the proper officers with all the accounts had been

* His Lordſhip had buſineſs of his *own* to tranſact in that place. The Nabob tells him, that a ſingle Peon would have been ſufficient, as nothing but *implicit acquieſcence* was meant.

† His Lordſhip knew better the ſtate of his *own* affairs.

" removed

" removed by your orders from every village; and I was ſoon informed, " that every part of the country was in the ſame ſituation, every means had " been taken to throw difficulties in my way in the execution of the Com- " pany's orders, and to diſtreſs the country and the inhabitants. In this " ſituation, Sir, I thought it the propereſt method to eſcort the Dabeer hi- " ther by the Company's troop of cavalry. He is now here, and having " been at the head of the revenue department formerly in the ſervice of the " Raja, and lately in yours; if you will pleaſe to order the different Amil- " dars and other officers to return with their accounts, juſtice may be done " to every man, and the country reſtored in that proper and equitable man- " ner which the world will expect from a friend and old ally of the Com- " pany."

Before your Lordſhip ſet out on your journey, I had ordered the Dabeer and my other ſervants to come to me, and they were come part of the way, and were at Arrialore, which is in the Trichinopoly country. When you reached the Tanjore country, all my principal Amildars, *viz.* Mahommid Abrar Cawn, Nizam Udan Mahommid Cawn, Ali Dil Cawn, &c. who were all my old ſervants, ſome of them for two generations, were there with their accounts, employed in their buſineſs, and received you with the greateſt reſpect. After I gave orders for giving up the care of the fort of Tanjore to the Company, there were in it five or ſix thouſand men. My principal Amildars as above mentioned had my orders not to give any oppoſition to your people; therefore, only *two guards* of *your ſeapoys*, in the face of *a large body* of *my troops*, treated my ſaid Amildars with the greateſt indignity, contempt, and diſgrace, they would not have treated enemies in the ſame manner, having diſgracefully impriſoned them, and taken from them their accounts. They afterwards ſent Drurus round the towers and the country of Tanjore, proclaiming that *no rice ſhould be ſold to my people*, nor any protection given them; that whoever did protect any of my people ſhould be puniſhed and fined; yet this was not ſufficient, but ſixty European horſe paſſed the Coleroon and Cavery rivers, and went to Arrialore which is in the Trichinopoly country. What they did there, my honour and concern will not allow me to dwell upon!—You know it full well!—After all this, I cannot diſcover what difficulties were thrown in your way in the execution of the Company's orders. I never could ſuppoſe that ſuch indignities would be offered to me.—There is ſuch confuſion now thrown into my affairs, that

no man in my country can place any dependance upon my protection. If your Lordſhip wiſhes to have the accounts of the country, according to the cuſtoms of the country, the accounts of every village are to be found in it.—My ſervants and my papers muſt come to me; now what perſon and what papers do you require of me, as being out of your power? You know beſt, if it is your intention to do juſtice to my creditors and my troops, for I have repeatedly wrote to you and ſpoke to you on this ſubject.

Your Lordſhip ſays, "It is very true, Sir, that I, as well as every friend "you have, and every friend and well-wiſher to the proſperity of the Com- "pany, were, are, and muſt continue to be, alarmed at the great arrears "of pay due to your troops; perhaps, Sir, it might be made appear, that "as much money has been collected from the Tanjore country ſince you "were acquainted with the Company's orders, as would have paid the troops "of Najeeb Cawn, and gone a great way towards diſcharging the arrears due "to the reſt.

"If you look back to the letters which have been wrote to you, you "will find, that it was expreſsly inſiſted upon, that an Engliſh garriſon "ſhould be put into Tanjore, and the Raja ſet at liberty without any "terms. Terms would have been diſgraceful on that occaſion."

There was but one diſtrict of the Tanjore country ſet aſide for the payment of the troops; all the reſt was for the payment of the creditors, as I ſet forth to your Lordſhip. At the time I received the garriſon of my friends into the fort of Tanjore, I and my counſellors were ſure, from your Lordſhip's *fixed manner of ſpeaking*, that you would have continued Najib Cawn Kelledar of the fort; and to be fully convinced of it, I repeatedly mentioned it to your Lordſhip, and was more confirmed in my opinion. As there are now doubts thrown into this buſineſs, perhaps there likewiſe may in your Lordſhip's *promiſe* for the payment of the troops, with which I acquainted Najib Cawn when I wrote him the order to withdraw my troops from the garriſon, and to remain at Cambeconum till paid off. This order Mr. Chambers tranſacted and ſhewed to you; and after you had approved of it, you incloſed it to Colonel Harper to be delivered to Najib Cawn who became ſecurity to the troops that they ſhould be paid; in conſequence of which, they were content and marched to Cambeconum. Had I then imagined

gined that theſe doubts would have ariſen, I would have tranſacted this buſineſs by writing *.

Your Lordſhip ſays, "I always thought that you and your managers had "great merit in being able to remove a body of troops to whom ſuch large "arrears were due, but I never made you any promiſes on the part of the "Company; you know well, they had directed the country to be reſtored "to the Raja."

What your Lordſhip ſays on this ſubject appears to me to proceed from your goodneſs, but it was the order that was approved of by your Lordſhip and ſent to Najib Cawn, that was the cauſe of taking out the troops; therefore it is you that have the merit in this affair †.

Your Lordſhip ſays, "There was one method, and but one, which ever "occurred to me likely to relieve you from that burdenſome debt due to "your troops; I repeatedly told you of it, and I will do ſo now. It was, "that if you would conſent to the diſbanding thoſe troops, or to the "Company's enliſting into their ſervice ſuch of them as I might chuſe "to accept of, I would uſe my endeavours with the Raja of Tanjore, to "ſuffer a part of the revenues of this country to be applied to the purpoſe "of paying off their arrears: But as this is what you would not hearken to, "I ſee not at preſent how the Company can be of any ſervice to you upon "the occaſion. I tell you again and again, that troops ill paid, will always "be the maſters of the man who employs them; thoſe you have, if they do "not diſband themſelves, which I underſtand ſome of them have done, "muſt be diſbanded by your Highneſs, or you will be more and more "diſtreſſed."

Before your arrival from England, the revenues of my country were conveyed by Tunkas, given by me to my creditors and my troops, as I told your Lordſhip. The crops upon which the troops depended for their pay, were not ripe; when they were, they hoped to receive it, but my rights were diſturbed. You know very well, that my honour will not permit me to receive, as a favour, any thing from my ſubjects or my ſervants.—*Such as*

* The promiſes were *verbal*, and, therefore, *not to be regarded*.
† Theſe arguments *come home* to his Lordſhip.

Rajas I have many amongſt my ſervants.—The Tanjore country *muſt* be anſwerable for the demands of my creditors, and my troops on it, and the juſtice of this I ſubmit to my beſt friends. You know that always, and on every opportunity, I am the firm friend of the Company, and a *true* and *grateful ally* to the king of Great Britain, and a friend to the whole Engliſh nation, and that nothing can diminiſh my friendſhip for them.

An anſwer to his Highneſs's letter of April 27th, waving the entering upon the ſubject of it, as Lord Pigot was expected back in a few days.

Copy of a Letter from Mr. Stratton to his Highneſs the Nabob, dated 30th April 1776.

To his Highneſs the Nabob, &c. &c.

May it pleaſe your Highneſs,

I Have had the honour to receive your letter, dated the 27th inſtant, copy of which I immediately tranſmitted to Lord Pigot, who I expect here in a few days, when I have not a doubt he will clear up every thing to your ſatisfaction.

I have the honour to be with profound reſpect,
May it pleaſe your Highneſs,
Your Highneſs's
moſt ſincere, moſt obedient, and
moſt humble ſervant,
GEORGE STRATTON.

Fort St. George,
30th April 1776.

The following letter proves the exactneſs with which the Nabob fulfils his engagements to the Company, notwithſtanding the injuſtice and tyranny of the Company towards him.

Tranſlation of a Letter from his Highneſs the Nabob to George Stratton, Eſq. dated April 29th 1776, or 10th Rabbicowell 1190 Hegira.

I Have paid for the Company, for which you will pleaſe to ſend me a receipt, 115,000 pagodas, and acquaint you, that 100,000 of this ſum is on

on account of the Kiſt of the diſtricts of Tripaſſore, &c. due the 31ſt January laſt; and 1500 pagodas on account of Poonamallee Kiſt, from the 1ſt of January laſt, to the 30th April 1776.

The following is alſo on money tranſactions.

Tranſlation of a Letter from the Nabob to Mr. Stratton, acting Governor of Madras, dated and received the 30th April 1776.

THE current charges of the ſeven original battalions belonging to my ſervice, kept up by the Company, and of the three additional battalions *I agreed to take* into pay at the time of the Tanjore expedition †, together with extra expences and 2 lacks 65,045 pagodas 45 fan 16 caſh for the pay of three battalions of Sepoys, from the 16th Auguſt 1770, to the 31ſt June 1773, which my letter to the Governor and Council of the 25th October 1773, mentions it to be given as a preſent to the Company, in conſideration of the Tanjore expedition, amount in the whole to 871,666 pagodas 24 fan. This ſum I have paid into the Company's caſh, from the 1ſt of May 1775, to the 30th April 1776; as follows.

In ready money, on account of the pay of the before-mentioned 10 battalions of Sepoys, one of which is gone to Bombay, three lacks of pagodas (300,000 pagodas), on account of the preſent to the Company above-recited, pagodas two hundred and ſixty-ſix thouſand and forty-five, two fanams and ſixteen caſh (266,045 2 16), on account of extra charges forty-two thouſand ſix hundred and eighty-five pagodas, twenty-one fanams and ſixty-four caſh (42,685 21 64). In bills two hundred and ſixty-two thouſand nine hundred and thirty-ſix pagodas (262,936). Total in ready money 608,730 24; and in bills 262,936 pagodas, make the ſum of 871,666 24 pagodas, the whole amount of my agreement, which, by the bleſſing of God, I have entirely cleared off; and the expences of the army, on account of both Tanjore expeditions, have been alſo diſcharged.

† The keeping up and paying thoſe three additional battalions, were among the conditions, which the Nabob granted to the Company, in conſideration of their aſſiſtance in taking Tanjore.

It uſed to be a rule with former governors, to ſend me my accounts every three months, but it is now fifteen months ſince I received any.—I ſhall eſteem it a favour, if you will ſend me my accounts, commencing from the date of thoſe you laſt ſent me, and brought down to the 30th of this month. Conſider me always as the firm and obliged friend of the Company.

What can I ſay more?

Mr. Stratton ſent the following anſwer to preceding letters from the Nabob.

Copy of Mr. Stratton's Letter to his Highneſs the Nabob, dated 3d May 1776.

To his Highneſs the Nabob, &c. &c.

May it pleaſe your Highneſs,

I Have had the honour to receive your two letters, dated the 29th April, one accompanying a letter for Lord Pigot, which, agreeable to your Highneſs's requeſt, I forwarded immediately to him. The other letters adviſes me of your Highneſs having ſent into the Company's caſh one hundred and fifteen thouſand pagodas; and that one hundred thouſand of this ſum is on account of the Kiſt of the diſtricts of Trepaſſore, &c. due 31ſt January laſt; and fifteen thouſand pagodas account Poonamallee Kiſt, from the 1ſt January laſt to the 30th April 1776. I have alſo had the honour to receive your Highneſs's letter, dated 30th ult. adviſing me, that you have paid into the Company's caſh, from 1ſt May 1775 to the 30th April 1776, account current charges, &c. as follows, in ready money, on account of the ten battalions of Sepoys, three lacks of pagodas; on account of the pay of three battalions of Sepoys, from 16th Auguſt 1770 to 31ſt June 1773, two hundred and ſixty-ſix thouſand and forty-five pagodas, two fanams and ſixteen caſh, which your letter to the Governor and Council of the 25th October 1773, mentions to be given as a preſent to the Company, in conſideration of the Tanjore expedition, on account of extra charges. Forty-two thouſand ſix hundred and eighty-five pagodas, twenty-one fanams, and ſixty-four caſh; and in bills, two hundred and ſixty-two thouſand nine hundred and thirty-ſix pagodas; making altogether in ready money and bills, eight hundred and ſeventy-one thouſand ſix hundred and ſixty-ſix pagodas, twenty-four fanams, being the whole amount of your Highneſs's agreement. In anſwer to the above I have the honour to acquaint your Highneſs, that I have received from you as follows;

Two

Two bills on Jaſing for — — — — —	119,000
In ready money — — — — —	78,000
And one bill which accompanied your Highneſs's laſt letter on Jaſing for — — — — —	143,936

Your Highneſs's account has due credit for the ready money, as you will have alſo for the bills when diſcharged. The above bills and ready money, with the ſums your Highneſs has already paid to Lord Pigot and to Mr. Wynch, amount to eight hundred and ſeventy-one thouſand ſix hundred and ſixty-ſix pagodas, being the whole of the payments agreed to be made by your Highneſs from 1ſt May 1775, to 30th April 1776.—Your Highneſs has alſo paid in bills and ready money, the ſum of one hundred and fifteen thouſand pagodas, being in full for the Kiſt, due on account of the Trepaſſore, &c. diſtricts, the 31ſt January 1776, and on account of the Kiſts of the Poonamullee country to 30th ult.

I am very much obliged to your Highneſs for the punctuality you have ſhewn in the above payments, and your accounts are ordered to be made out to the time your Highneſs deſires.

I have the honour to be with profound reſpect,
May it pleaſe your Highneſs,
Your Highneſs's moſt ſincere
moſt obedient and moſt humble ſervant;

Fort St. George,
3d May 1776.

GEORGE STRATTON.

Lord Pigot having returned from Tanjore on the 5th of May, endeavoured to *extort* an approbation of his meaſures from the Nabob. The following paper, with its title, will ſpeak for itſelf. It was in this very way that Mr. Pigot *forced* the Nabob to ſign the treaty of 1762; which his Lordſhip makes the baſis of the reſtoration of Tuljagee.

Copy of a Paper written by Lord Pigot with a Pencil, and given by him to his Highneſs the Nabob of the Carnatic, that his Highneſs might write the Contents in a Letter to his Lordſhip. May 11th, 1770.

I AM very happy at my friend's return. I forgive you for every thing you have done*. The man who is faithful to his maſter will ever be ſo to

*His Lordſhip *owns* that his conduct ſtood in need of forgiveneſs.

his

his friend. Now you have finiſhed the Company's buſineſs, I hope you will not forget mine. I will lay before you the whole ſtate of my affairs, and I deſire your aſſiſtance to *ſettle them* to the ſatisfaction of the Company, that I may be happy.

I certify that this is a true Copy of the above-mentioned paper,

JAMES WOOLEY,
Secretary to the Nabob.

Lord Pigot anſwers the letters ſent by his Highneſs to Mr. Stratton, the acting Governor, during his Lordſhip's abſence. The letter is dictated by that reſentment which his Lordſhip entertained againſt the Nabob, for refuſing to write to him the above paper, and conſequently for not approving of his tranſactions at Tanjore.

Copy of a Letter from Lord Pigot to his Highneſs the Nabob, dated 13th May 1776.

To the Nabob.

May it pleaſe your Highneſs,

ON reading over the proceedings of Mr. Stratton, and the other Gentlemen of the Council, I find two letters from you addreſſed to Mr. Stratton, which I ſhall now do myſelf the honour to anſwer.

That your mind is full of trouble and uneaſineſs does not ſurpriſe me; *bad counſellors have often diſtracted a mind as great as your Highneſs's* *.

Your ſon Ameer-ul-Omrah perhaps forgot to inform you, that Naroo Pundet, the Dobbier, after Tanjore was taken, told your ſon he would not deſert his Maſter in his misfortunes, and refuſed to act until he carried him to the Raja, and deſired him to lay his commands upon him. Was it noble, was it generous, was it honourable, was it juſt, to impriſon this venerable old man, between 70 and 80 years of age? This *publick officer*; this firſt officer of the Tanjore revenue; *this officer of the publick*, not your Highneſs's ſervant †.

* This is truly a *home* ſtroke of his Lordſhip!

† Yet he *ſerved* his Highneſs. It is pity, a paragraph poſſeſſing ſuch *eloquence of words*, ſhould contain ſuch groſs *miſrepreſentations of facts*.

From

From this man * I learnt that your Highneſs had received from the Tanjore country, in the three years you have had it in your poſſeſſion, 40 lacks of pagodas, *which will be a great ſatisfaction to my Employers*, as they will be confident that the expence your Highneſs has been at, could not have amounted to near that ſum.

I learned alſo from the Dobbier, that the revenue of Tanjore, for this year, amounted only to 12 lacks of pagodas, that there remained only three lacks to be collected by the Raja ‡, and that your Highneſs's receipts, orders, and the uſual charge, amounted to full nine. *This* was *a great ſatisfaction to me*, as I truſt it will enable your Highneſs to pay the arrears due to your troops. The good purpoſes the meaſure has anſwered, will, I hope, appear to you a ſufficient reaſon for eſcorting ‖ the Dobbier to Tanjore.

Shall the gates of Arrialore, or any other gates in the Pauyen-Ghaut §§ be ſhut againſt the troops of the Company, who have fought for you near 30 years, when they aſk admittance by my authority; I hope not. This would be an improper return to the man who put your Highneſs in poſſeſſion of them, upon your ſolemn aſſurances that there was no diſtinction between you and the Company, and that you wiſhed it only for the appearance it would have with the country powers ‡‡.

Your letter of the 27th is a matter of the utmoſt aſtoniſhment to me. In the public notice given, when the country of Tanjore was reſtored to the Raja, it was expreſsly ſaid, What he poſſeſſed at the concluſion of the treaty, *your Highneſs made* with him in 1762 §. No other was meant to be given to him, and the Raja never expreſſed a wiſh to have more than the Company thought his right.

* *This man* impoſed on his Lordſhip.

‡ A miſrepreſention throughout; as ſhall hereafter appear.

‖ To carry a man *priſoner* is merely *eſcorting* him, in his Lordſhip's language.

§§ He means the *Carnatic*, by the *Payen-Ghaut*. A *vulgar* appellation is beneath the dignity of *heroics*; Payen-Ghaut may be underſtood in India, but it requires *explanation* to thoſe who are to *decide* here upon his Lordſhip's conduct.

‡‡ In this *inflated* and *arregant* paragraph, his Lordſhip has permitted his *dignity* to get the better of *common prudence*.

§ His Lordſhip *made it*, and *forced* his Highneſs to ſign it.

Najib

Najib Khan received every mark of reſpect when he left Tanjore; and I aſſure your Highneſs, that every officer and ſervant I have ſeen of yours has merited and has received all the civility I could poſſibly pay to them.

I could ſay more in reply to this letter, but ſhall conclude with giving you the ſtrongeſt aſſurances of my ſteady *attachment to your intereſts*, and of the wiſh I have, that you would put it in my power to render you every ſervice I am capable of; being with the greateſt eſteem,

Your Highneſs's ſincere Friend,
and humble Servant,
(Signed) PIGOT.

Fort St. George,
13th May, 1776.

The Nabob anſwers the harſh letter which he received from Lord Pigot on the 13th of May. This paper is curious. Nine lacks of Pagodas, or 360,000*l.* are miſſing; and the letter is garbled by his Lordſhip.

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 19th May 1776, or 30th Rabbelowell 1190.

I Have received your Lordſhip's letter in Engliſh, dated the 13th inſtant. I will hereafter particularly anſwer to the articles therein contained, and at preſent only obſerve, that you mention that "you have been informed "by the Dobbier, that the revenues of Tanjore, for this preſent year, have "amounted to only twelve lacks of pagodas, of which there remained only "three lacks to be collected by the Raja; and that my receipts, tunkas, and "the uſual charge, amounted to full nine, which gave you great ſatisfaction, "as you truſt that it will enable me to pay the arrears due to my troops;" which I underſtand.

I think it neceſſary, for your Lordſhip's better information, to acquaint you, that I had aſſigned part of the country for the payment of debts due to [Mr. Benfield and Mr. Monkton, to Mr. Benfield] *ſome perſons*; *to one*, a ſum amounting, by computation, to about five lacks and twenty-five thouſand pagodas; and to [Mr. Monkton] *another*, about three lacks of pagodas, beſides intereſt. *They* [theſe Gentlemen] have ſolemnly aſſured me, that they have received only, the firſt, about 12,750 pagodas; the other, about 8,500 pagodas. The Sepoys and other Tunkahdars may have received, in the

ſame manner, however, the revenues (whatever they were) have not been paid, either to my creditors, to my Sepoys, or into my treaſury. Your Lordſhip [and your Counſellors] may eaſily inform [yourſelves] *yourſelf* how the money has been diſpoſed of.

This has been due to the Dobbier, who was *good enough* to ſay, that only a balance of *three lacks* of pagodas remained to be collected. If he ſhould ſay, that not a ſingle grain was left in the country, who can ſtop his mouth? If the revenues have been collected in the manner you mention in your letter, and that they amount to twelve lacks of pagodas, I am only informed of *three lacks* having been collected, and I have received credit for no more in my accounts.

Whatever the balance is, it *ſhould* be in the country———

May 22d, 1776. *N.B.* This letter was ſent to his Lordſhip on the day of the date; and after keeping it *three days*, he returned it to his Highneſs, and deſired that the alterations ſhould be made as above. It was therefore *altered* according to his Lordſhip's deſire, and this day ſent to him. The words between the brackets were in the firſt letter, in the room of which his lordſhip deſired to be put the words which are in Italics.

The Nabob finding that his dominions were invaded, and his ſubjects impriſoned, by the orders of Lord Pigot, wrote the following letter to an Engliſh officer in his ſervice.

Letter from the Nabob to Captain John Fletcher. May 21ſt, 1776.

To Captain John Fletcher.

THE fort of Haneemuntagoody is dependent upon Ramnade, and not upon Tanjore. If you have not delivered up that fort to the Company's people before the receipt of this letter, you are hereby directed not to deliver it up to them. You will take care not to fire any muſquetry or guns upon the Company's people, who may be ordered on that ſervice, nor to draw a ſword againſt them, but to keep the gates of the fort ſhut up, and to acquaint the Company's people, in a civil manner, that you have written to the Nabob, and deſire that they will wait until his anſwer arrives. In

the

the mean time I will apply to the Governor and Council here, and will inform you ſoon what you are to do.

What can I ſay more?

Given at Chepaugh,
21ſt May, 1776.

It appears from the following anſwer, that Captain Fletcher executed his Highneſs's orders.

Copy of a Letter from Captain Fletcher, from Hunmuntgoody, to the Nabob, dated 28th May, 1776.

To his Highneſs the Nabob Waulaujah Behauder, &c. &c.

I Received your Highneſs's letter, dated May the 21ſt, and will take the greateſt care that I will obey your Highneſs's orders, as far as lays in my power. I wrote two letters to Captain Rumley, to be explained to your Highneſs, mentioning the whole that happened here in this country. As I knew that Captain Rumley could explain it well to your Highneſs, on account of his knowing the Perſian language, which I hope he has long before now. I aſſure your Highneſs, that I will do every thing that lays in my power to ſerve you.

The Company's troops left this on the 20th inſtant, on account of their not getting admittance here. I have not heard of any of the Company's troops ſince.

Remaining, with reſpect,
Your Highneſs's moſt faithful Servant,

Huntamongoody,
28th May, 1776.

(Signed) JOHN FLETCHER, Captain.

The following very ſpirited letter was written by the Nabob to Lord Pigot, upon his Lordſhip's ſending the Company's troops to ſeize territories which *never belonged* to Tanjore; and to put them in the hands of the reſtored Raja.

Tranſlation

Tranſlation of a Letter from his Highneſs the Nabob to Lord Pigot, dated 26th May 1776, or 17th Rabbiſauny 1190 Hegira.

WHEN your Lordſhip was at Tanjore, I gave poſitive orders to my managers in that country, not to oppoſe the Company's people. I was ſoon after informed, that troops belonging to the Company were marched to take poſſeſſion of ſome of my countries belonging to Ramanadeporam. As I had not ſent any orders to my managers at Ramanadeporam, and God only knew what might happen there, I wrote to Mr. Stratton who then preſided here, expreſſing my concern and aſking his advice. I have lately repeatedly received letters from Aly Navas Cawn; and Attau Huſſein Cawn, managers of the Ramanade and Shevagunga countries, mentioning the arrival of a Company's officer, with two companies of their Sepoys and ſome of Tuljagee's people, to take poſſeſſion of ſome diſtricts of thoſe countries; and further, that they intend taking the Fort of Hanumuntagoody. Some of the Company's Sepoys are arrived at Cuttapatnam, and have *forcibly turned out my people* from thence; and have ſeized and carried away the Amildar, and poſſeſſed themſelves of the *revenues* and the *papers*. Surely your Lordſhip ſhould acquaint me before you proceed to take *poſſeſſion of countries*, which do *not belong to Tanjore*, but entirely depend on Ramanade and Shevagunga, and you ſhould examine the *records*, for the *word* of Tuljagee is not ſufficient authority for taking poſſeſſion of *my country*; but you *diſregard all rights!* My firm friendſhip towards the Company for theſe thirty years paſt, has been founded on the ſtrongeſt attachment to them and to the Engliſh nation; and from thence I have lived in the hope of increaſing my honour, reputation and figure in the world; and which I truſt you will conſider as inſeparably connected with the honour and intereſt of the Company.—I am perfectly convinced, that the Gentlemen of the Company will not allow me thus to *ſuffer*, nor ſee injuſtice done me; and I am firmly perſuaded, that as ſoon as they have a *full* and *true ſtate* of affairs here, they will alter their opinion in regard to Tanjore; then why ſhould you deſire to take my other countries?—I therefore write to your Lordſhip, that you will be pleaſed to give ſtrict orders to your people, that my rights may be preſerved, and that they may not interfere in my authority over my countries; for ſurely it never could have been the intention of the Company, that I, who have been their invariably firm friend,

for ſuch a courſe of years, ſhould meet with ſuch treatment; and that one §, who *never was a friend to the Engliſh*, but on the contrary their enemy, ſhould meet with ſuch advantage from their power.

In conſequence of the preceding letter, Lord Pigot waited upon the Nabob at eight o'clock next morning, and had the following conference with his Highneſs, in the preſence of his brother and two ſons.

Tranſlation of a Conference between his Highneſs the Nabob and Lord Pigot, May 27th 1776.

ON Monday morning, about eight o'clock, his Lordſhip came to his Highneſs's houſe; Morphus Cawn * Behauder, Umdet-ul-Omrah, and Omeer-ul-Omrah Behauder †, received him; his Lordſhip, after inquiring about his Highneſs's health, ſaid, that his Highneſs had yeſterday wrote a letter to him, and aſked why he had not previouſly ſeen it; that he did not *know* what were the bounds of Tanjore, and what were the bounds of Marawar; that he had given orders to put the Raja into poſſeſſion of ſuch countries as were in his hands at the treaty of 1762. His Lordſhip afterwards drew four lines on the ground, ſaying, here is the country of Trichinopoly, here the country of Tanjore, here the country of Marawar, and here the country of Tondyman; and ſaid, that when the Raja of Tanjore became a little powerful, he took poſſeſſion of ſome part of the Marawar country; and that when the Raja of Marawar became powerful, he took poſſeſſion of part of the Tanjore country; that when the Tondyman became powerful, he took ſome part of the Tanjore country; that ſometimes the Nabob took poſſeſſion of the whole!—His Lordſhip then ſaid, that the Nabob did not cultivate friendſhip with him; that there were ſeveral *great raſcals*, ſuch as Fletcher *, Mackay †, Benfield and Macpherſon ‡, coming to his Highneſs, and that they ſpoiled him; that he (his Lordſhip) would ſtop ſuch *raſcals*, and that Benfield ſhould not hereafter have it in his power

§ The Raja of Tanjore. * The Nabob's brother. † The Nabob's ſons.

* Sir Robert Fletcher commander in chief of the Company's troops on the coaſt.

† A member of the Council.

‡ This Gentleman was *irregularly* diſmiſſed from the ſervice by Lord Pigot under a pretence that he PRESUMED, *before he was in the Company's ſervice*, to endeavour the eſtabliſhing a correſpondence between the Crown of Great Britain and its ally, the Nabob of Arcot.

(even

ſeven upon his own buſineſs) to ſet his foot in his Highneſs's houſe. This his Lordſhip ſpoke loudly that every one heard it, and he *trembled* with paſſion. He was in this ſituation, when his Highneſs came to receive his viſit; and ſtood in the ſame place, ſpeaking very *harſh* and *ſevere words* to his Highneſs, ſuch as that he would *place a guard of Europeans* on his Highneſs's houſe and *keep him in priſon*, and in his *own power*, and would not allow any *white faced raſcal* to ſee his Highneſs §. He aſked Umdat-ul-Omrah, why he did not *kick out* all ſuch *raſcals*. They afterwards ſat down on chairs, and his Lordſhip repeatedly mentioned the ſame words; and that the whole ſettlement of Madras could not hurt him, had they a mind ſo to do; that he would not ſuffer the Company's buſineſs to be in confuſion. His Highneſs ſaid, that he (his Highneſs) was a friend to the Company, and would not be the cauſe of ſpoiling their buſineſs. His Lordſhip ſaid, that ſuch letters as his Highneſs formerly wrote him were replete with wiſdom, but that now they were full of trouble and diſturbance; for the draughts of them were *made out by raſcals* *: and further, that the Nabob ſhould have told him yeſterday, that the Company's people were about taking poſſeſſion of his countries, and that his Lordſhip ſhould ſtop them; and that if his Highneſs had done ſo, he (his Lordſhip) would have given him a friendly anſwer, and would have told his Highneſs, that he would have ſent orders to ſtop this buſineſs †; that if the Nabob wanted to ſee him and aſk his advice, he ſhould not let any other people come to him; but if he (his Highneſs) did not think proper to ſee him, he would not come to him, but would appoint one of the Council to come and talk to his Highneſs. That one ſhip was gone to England full of his Highneſs's praiſe; and declaring, that he had *agreed* to every thing ‡; but that every ſhip ſince had gone to England full of complaints from his Lordſhip againſt his High-

§ His Lordſhip afterwards found it convenient to *find* another reaſon for this threat. In his minute of the 6th of June, he tells a ſtory concerning a *poor woman*, who was to be tortured for her *wealth*; a piece of intelligence which he received on the 10th of May from one of the Company's *black porters*. Whether this woman ever exiſted is beſt known to his Lordſhip and his *black porter*; but if his humanity was ſo much alarmed on the 10th of May, it is ſomewhat ſurpriſing he did not bring forward the fact till the end of the firſt week of June.

* His Highneſs ſends no letter of buſineſs which he does not himſelf dictate to his Moonſhy.

† He acknowledges here the injuſtice of his own conduct.

‡ His Lordſhip had no authority for ſuch a declaration, his Highneſs uniformly diſſented from the meaſure of reſtoring Tanjore.

neſs. That his Lordſhip had no more friendſhip with the Raja than with his Highneſs, but had replaced him purſuant to the orders of the Company. That his Highneſs ſhould do one favour now, to ſend a perſon from him with orders, that the Raja ſhould have delivered into his poſſeſſion, ſuch countries as he had in 1762, and that then there would be no difference between his Highneſs and his Lordſhip. That his Highneſs mentioned ſomething in his letter about Hanumuntagoody, which had been, ſince former times, in the poſſeſſion of the Raja. His Highneſs replied, that Hanumuntagoody belonged to the country of Ramnade. His Lordſhip then ſaid, why did your Highneſs not mention this buſineſs when the treaty of 1762 was ſettled? His Highneſs anſwered, that he imagined that it regarded only the Tanjore country, and that he did not imagine that it extended to all.—His Lordſhip then ſtood up and told his Highneſs, that he (his Highneſs) ſhould *forgive his fault* in ſpeaking ſome high and *violent words*; for that they proceeded from his *hearty friendſhip*. His Highneſs anſwered, that he was a friend to the Company, and would only anſwer to all his Lordſhip had ſaid, that after ſo long enjoying the friendſhip of the Company and the Engliſh nation, he had no expectation of *deſerving ſuch words!* His Lordſhip then ſaid, that his Highneſs ſhould forgive him, for he had *ſpoken through madneſs*; but his Highneſs made no reply *.

Lord Pigot having threatened, in the preceding conference with the Nabob, to place a guard of Europeans on his Highneſs's houſe, and to *keep him in priſon* and in his *own power*; that unfortunate prince, as his laſt refuge from diſgrace, found himſelf obliged to make the following application to Sir Edward Hughes, commander in chief of his Majeſty's ſquadron in the Eaſt Indies.

Letter from his Highneſs the Nabob to Commodore Sir Edward Hughes, June 3d, 1776.

THE aſſurances of ſupport and protection received from the grandfather of his preſent Majeſty, and repeatedly from his Majeſty himſelf, and the Company, had given me the greateſt confidence, that my *rights* and

* The latter part of this conference is particularly recommended to the attention of the reader.

my

my *honour* would have been preſerved inviolate; but the apprehenſions under which I now labour, from Lord Pigot's unjuſt uſe of his power, have arrived at ſo dangerous a height, that I am obliged to apply to you, for your immediate interference in my ſupport.

Lord Pigot, not content with the *low* and *diſgraceful ſtate*, to which he has reduced my authority, by the meaſures which he executed at Tanjore, has lately threatened to ſubject me to the moſt perſonal diſgrace.

On the 27th inſtant, at eight o'clock in the morning, he came to my Durbar, and in the preſence of my brother Morpheus Cawn Behawder, and my ſons Omdaht-ul-Omrah Behawder, and Ameer-ul-Omrah Behawder, and Kirin Mordien Cawn, declared, in the moſt determined and *threatening tone of voice*, that he would place a European guard upon my houſe, *to keep me a priſoner* in his *own power*; and naming *members of the Council*, he ſaid they were *raſcals*, and that he would diſmiſs them from the ſervice; he ſaid alſo, that all the *white-faced fellows* were *raſcals*, and that he would not allow any of them to ſee me; alſo he aſked Ameer-ul-Omrah, why he did not kick out ſuch *raſcals*.

The cauſe of this outrage, was my having written him a letter on the 26th inſtant, a copy of which is encloſed, repreſenting the injuſtice which he did me, by ordering a military force to march into the Ramnade country, to deprive me of ſome diſtricts there, and put them into the poſſeſſion of Tuljagee.

Can there be any oppreſſion equal to the depriving a man of his right, and then threatening him with the greateſt diſgrace, if he dares to make a repreſentation of that right?

As Lord Pigot, on a former occaſion, ordered people to enter my garden in the middle of the night *, *pretending*, that he had information, that I had ordered ſome people to be ill-treated there; ſo I am under the greateſt alarm, that he will proceed to execute in *paſſion*, what he threatened. I ſhall then be without remedy. I value my *honour* more than my *life*; as

* This was in conſequence of the idle ſtory of the 10th of May, communicated by a malicious *porter* to Lord Pigot, concerning a *poor woman* who was to have been ſent to ſome diſtant country to be tortured for *her money*.

you are the ſervant of the King and nation, who are my protectors, as you are ſent here for the ſupport of *your Sovereign's honour* and the intereſt of the Company; ſo *I call upon you*, by every duty which you owe to juſtice, and your high ſtation, to write immediately to the Board, and to ſettle ſuch meaſures with them, that my *perſon* and *family* may be ſecured againſt Lord Pigot's *threats* and *violence*.

Such is the juſtice of my cauſe, that I am confident the Company will order me full redreſs for the injuries which have been done to my government and people by Lord Pigot's conduct at Tanjore; but who is to ſupport me againſt thoſe he threatens at preſent, unleſs you repreſent to the Council my ſituation. By the eſtabliſhed cuſtom, I cannot apply to the Council, but through the governor, and *my complaint is of himſelf*.

Unleſs you give immediate aid to the beſt friend the Engliſh ever found in India, he muſt ſink in the ſea of oppreſſion.

I *ſolemnly declare*, and your knowledge of my conduct has proved it to you, that I am a *faithful friend* and *well-wiſher* to HIS MAJESTY and the *Company*.

Sir Edward Hughes returned immediately the following anſwer.

Copy of a Letter from Sir Edward Hughes to his Highneſs, dated 3d June 1776.

To his Highneſs the Nabob.

May it pleaſe your Highneſs,

I Have this minute received your Highneſs's *public application* to me as his MAJESTY's *ſervant*, and forward the ſame directly to the Governor and Council. The diſtreſs under which your Highneſs labours affects me more than is in the power of words to expreſs. I will uſe every effort in my power to ſupport your Highneſs, being fully ſenſible, that in ſo doing, I ſhall act to the ſatisfaction of my SOVEREIGN and for the good of the Company.

I am certain, that your attachment to BOTH, and to the Engliſh nation, hath been hitherto invariable, and that it remains unqueſtionable.

I cannot

I cannot entertain a doubt, but that your Highneſs will obtain an immediate relief from your apprehenſions of any perſonal inſult, which I will hope was never really intended.

I have the honour to be,
with very great reſpect,
your Highneſs's moſt obedient,
and very humble ſervant,

St. Thome,
3d June 1776.

(Signed) EDWARD HUGHES.

Sir Edward Hughes, at the ſame time, wrote the following letter, incloſing that of the Nabob, to the preſidency of Madras.

Copy of a letter from Sir Edward Hughes to Lord Pigot and Council, dated St. Thome, 3d June 1776.

To the Right Honourable George Lord Pigot Preſident, and Governor and Council, &c. &c. &c.

My Lord and Gentlemen,

IT is with the greateſt concern, that I find myſelf under the neceſſity of interfering in any reſpect, between the repreſentatives of the Company, and the Nabob of the Carnatic; but the accompanying application from his Highneſs, is of ſo *alarming a tendency*, that I cannot avoid laying it before you, as early as poſſible, part of the king's inſtructions to me, being to do my utmoſt to promote the intereſts of his Majeſty, and the advantage of the united Company of merchants trading to the Eaſt Indies, and of ſuch *Indian princes*, with whom they have contracted, or may contract engagements; of theſe the Nabob of the Carnatic holds the moſt diſtinguiſhed place.

My duty to the King my maſter, my zeal for the Company's welfare, and the feelings I have for the diſtreſſes of ſo good a friend to both, are with me moſt urgent motives for this addreſs; and I have no doubt, but that you will take ſuch meaſures in conſequence, as will effectually protect the Nabob from ſuch alarms in future. The national honour and intereſt, as well as the

welfare of the Company, being materially connected with the juſt ſecurity of his Highneſs.

I have the honour to be,
my Lord and Gentlemen,
your moſt obedient and devoted
humble ſervant,
(Signed) EDWARD HUGHES.

A true copy, Edward Spine, Sec.
To the Commander in chief.

The Preſident and Council returned, on the ſame day, the following anſwer.

Copy of a Letter from Lord Pigot and Council to Sir Edward Hughes, dated 3d June 1776.

To Sir Edward Hughes, Commander in Chief of his Majeſty's Ships in India.

SIR,

WE have the honour of your letter of this day. Our Preſident aſſures us, "that the Nabob has totally *miſunderſtood him* *; that he never "had a thought of placing any guard over him, although he feared, and "expreſſed thoſe fears to the Nabob, that the encouragement his Highneſs "gave to *European viſitors*, and the impediments to public buſineſs, ariſing "from the *intrigues* carried on by them at his Durbar, would lay him under "a neceſſity to place a guard to *bring ſuch perſons to him*; that he might be "acquainted with the nature of their buſineſs."

We conclude this will be ſufficient to ſatisfy you, Sir, that the Nabob's perſon is in perfect ſecurity. Our Preſident declares, "that no wanton in-"dignity to his Highneſs ever was intended †, or ever will be committed, by "him, although his ears can never be ſhut to the complaints of the *diſ-*"*treſſed* ‡;" and we aſſure you that no ſuch indignity to the Nabob ſhall

* This is very unlikely. The conference on his Lordſhip's part was held in Engliſh; the Nabob underſtands that language very well; and beſides, the words were *taken down* to be interpreted, in the uſual form, in Perſian.

† Whence then proceeded his threats in the conference of the 27th May?

‡ Vide Lord Pigot's minute of the 6th June, which immediately follows the ſucceeding letter in this collection.

be countenanced by this Board, to whom the management of the Company's affairs on this coaſt is intruſted.

We have the honour to be, with the greateſt eſteem,
SIR,
Your moſt obedient humble Servants,

Fort St. George,
3d June 1776.

(Signed) PIGOT, A. DALRYMPLE,
GEO. STRATTON, J. M. STONE,
ROB. FLETCHER, ARCHDALE PALMER,
GE. DAWSON, FRANCIS JOURDAN,
HENRY BROOKE, GEO. MACKAY.
CLAUD RUSSEL,

When Lord (then Mr.) Pigot was formerly Governor of Madras, he *gave a river*, belonging to the Nabob of Arcot, to his *own friend* Pertaub Sing, Raja of Tanjore. He now ſends the following letter to Lieutenant Colonel Harper, military Commandant at Tanjore, to prevent the river from being brought back to its *old channel*. There was, however, no foundation for his Lordſhip's fears.

Copy of a Letter from Lord Pigot and Council, to Colonel Harper, dated 3d June 1776,

To Lieutenant Colonel Harper, commanding at Tanjore.

SIR,

YOU will forthwith direct Major Stevens to proceed to the iſland of Seringham, to inſpect the water channels carrying on by the Nabob; and if it ſhould appear to him that there is any immediate danger therefrom to the Tanjore country, he will repreſent the ſame to Colonel James.

We are,
SIR,
Your moſt obedient Servants,
PIGOT, and Council.

Fort St. George,
3d June 1776.

(A true Copy.) R. J. SULIVAN, Secretary.

Lord Pigot, in the letter to Sir Edward Hughes, had mentioned, that "his ears "can never be ſhut to the complaints of the *diſtreſſed*." The ſentiment is laudable, where diſtreſs really exiſts. Upon the information of one of the Company's black porters, concerning a *poor woman* who was ſaid to be threatened with the torture for her *money*, his Lordſhip committed an outrage, of which the Nabob complains, in his letter to Sir Edward Hughes, of the 3d of June. The Nabob ſays, "Lord Pigot, on a former occaſion, ordered people to "enter my garden, in the middle of the night, PRETENDING that he had "information that I had ordered ſome people to be ill-treated there." What became of the woman, or *whether ſhe ever exiſted*, he is wiſe, indeed, who can tell. The Hircarrah ſeems to have impoſed upon his Lordſhip *entirely*, or, at leaſt, to have very much miſrepreſented the facts.

COPY.

The Preſident's Explanation, in Conſultation 6th June, of a Complaint made in the Nabob's Letter to Sir Ed. Hughes.

Minute of the Preſident, delivered in 6th June 1776.

THE Preſident then obſerves, that there was, in the letter from the Nabob to Sir Ed. Hughes, an accuſation of his having ordered people, in the middle of the night, to enter the Nabob's garden, pretending that he had information of the Nabob's having ordered ſome people to be ill-treated there.

The Preſident adds, that he thought moſt of the Members of the Council had been acquainted with the caſe alluded to; and although he had wiſhed, for the credit of the Nabob, to have taken no public notice thereof, yet for his (the Preſident's) vindication, it appears neceſſary to mention at this time.

On the 10th of May he received the following report from the Head Hircarrah.

Report of the Head Hircarrah.

After the Nabob took the Marawar's Country, the Circar's people plundered every thing belonging to the ſaid Marawar's managers; among the reſt,

reſt, one Vellayan Chirrocar's houſe was plundered, and his daughter remained in the ſaid country very poor.

One Vurrapilla, an enemy to her, told the Nabob that ſhe was worth money; upon which he ordered her to be brought under guard to him, and accordingly ſhe and two more women, and about 13 men, were brought to Chepauk, the Company's bounds, a few days ago; but upon examining the women, there was no money to be got from her, as expected; on this, the ſaid enemy told the Nabob, that if he would ſend her back along with him to the ſaid country, he will put her to the torture and recover the money. The woman could not go for fear they would murder her; but they are forcing her to go, and ſhe declares, that if ſhe is forced ſhe will kill herſelf. As ſhe is now in the Company's bounds, ſent to acquaint your Lordſhip with the above violence, and beg you to ſave her life; and as it is my duty to acquaint you with any news or violence that might be committed in the bounds, I thought fit to make this report to your Lordſhip.

The Preſident was upon a viſit, and at ſupper, when he received this information, and as the Nabob's gardens and thoſe to the Company's houſe join, he ordered the Hircarrah to wait at the gardens till his return, and to watch if theſe people paſſed; about eleven o'clock, the Preſident ſtopping at the gardens, in his way to the fort, was informed that the woman was not come away, but that ſome of the people were carried off towards St. Thome; upon which the Preſident thought proper to direct the officer of the guard to ſend a Havildar and ſome Sepoys, who overtook them at St. Thome; and the Preſident, at the ſame time, gave to Sail, one of the Company's waiting Peons, the written information he had received, and directed him to carry it to a houſe of the Nabob's, where many of his ſervants generally are, and to deſire that the woman might not be removed till he ſaw the Nabob in the morning †.

(A true Copy.) D. BAINE, Dep. Mil. Sec.

Though Lord Pigot neglected to communicate his proceedings at Tanjore, to the SUPREME COUNCIL at Bengal, they had received information of the hoſtilities and outrages, which his Lordſhip had choſen

† There does not appear to have been the ſlighteſt foundation for this idle tale.

to

to commit within the territories of the Nabob. The following letter was therefore ſent from Bengal, on the 15th of May; and it was received at Madras early in the month of June. The Supreme Council conſider his Lordſhip's conduct, in invading the Nabob's territories, and ſeizing the perſons of his officers, "a violation of the independent RIGHTS of the "Nabob of the Carnatic; in which character Mahomet Ally Cawn is ac-"knowledged by the TREATY OF PARIS; and that the tranſaction is not "warranted by the *Company's orders.*"

Letter from the Supreme Council, May 15th 1776.

To the Right Honourable George Lord Pigot, Preſident, &c. Council at Fort St. George.

My Lord and Gentlemen,

WE have been favoured with your letter of the 15th April.

The Court of Directors having been pleaſed to tranſmit to us a copy of their letter to your Preſidency, dated 12th April 1775, containing their commands on ſundry very important regulations and arrangements for the conduct of their political intereſts in the Carnatic, and expreſsly commanding us to co-operate with you, and to yield you our aſſiſtance in bringing them to a ſpeedy and happy concluſion;

We have waited with great impatience to this time for your advices, with reſpect to *the manner in which you have carried thoſe orders into execution*; but have hitherto received *no information* in any way relating to them, except the ſummary intelligence contained in your letters of the 17th February and 29th March, that the ſubſtance of the Company's orders, relative to Tanjore, had been communicated to that Raja; that a garriſon of the Company's forces had been admitted to relieve the Nabob's troops in that fort; and that your Preſident had ſet out for Tanjore, for the purpoſe of carrying the Company's orders into effect; but to this time we are totally uninformed of all the previous and intermediate meaſures and reſolutions, which have been taken for the accompliſhment of the various objects of this general ſubject, recommended in the general letter abovementioned; and of the *negotiations* which have paſſed between the *Preſident* and

and the *Nabob* and *Raja*. We therefore DESIRE, that you will tranſmit to us copies of *all your proceedings*, which have a relation to this object of your inſtructions, as well as copies of all your correſpondence on the ſame ſubject, with your Preſident, ſince his departure.

We are the more deſirous of receiving theſe *materials*, as we are informed, that an officer at the head of the Company's troops, had been ſent to Eleanore †, which we underſtand is ſituated *without the boundary of the kingdom of Tanjore*, to ſeize upon one or more of the Nabob's officers, and had carried him or them with their papers to Tanjore. This act requires *explanation*. If it was *neceſſary*, in order to carry the Company's intentions into execution, you will be juſtified by your inſtructions. But this tranſaction, as far as we are yet acquainted with it, appears to us, *a violation of the independent rights of the Nabob of the Carnatic*; in which character Mahomet Ally Cawn is acknowledged by the TREATY OF PARIS; and that it is not *warranted* by the Company's orders.

We farther deſire, that you will cauſe copies to be made of all the treaties which are now in force between your Preſidency and any of the country powers, or which may at any time have been guaranteed by you, and tranſmit them to us by the firſt opportunity.

We are,
My Lord and Gentlemen,
Your moſt obedient humble ſervants,

Fort William,
the 15th May 1776.

WARREN HASTINGS,
J. CLAVERING,
GEORGE MONSON,
RICHARD BARWELL.

(A true Copy) D. BAINE, Dep. Mil. Sec.

In anſwer to the preceding *requiſitorial letter*, from Bengal, the preſidency wrote the following, on the 13th of June. Lord Pigot endeavours to explain away his own acts of hoſtility at Arialore. He leaves the Supreme Council to *find out* his other outrages of the ſame kind.

† Arialore.

The Anſwer of the Preſidency of Madras to the Letter of the Supreme Council.

To the Honourable Warren Haſtings, Eſq; Governor General, &c. Council of Fort William in Bengal.

Honourable Sir and Sirs,

WE have had the honour to receive your letter of the 15th May.

Incapable as we are of being intentionally wanting in *reſpect* to you, or deficient in our *duty*, we thought the information contained in our letters of the 17th February and 29th March, reſpecting Tanjore, was all which was material at that time; our political ſituation has undergone no change, except with reſpect to Tanjore; and our letter of the 14th May, contains a full account of the Raja's requeſt, and our reſolution thereupon. But as you are pleaſed to deſire to have a copy of all our proceedings *, in relation to Tanjore, the ſame ſhall be tranſmitted with all convenient expedition.

Our Preſident acquaints us, "That as he paſſed through the Tanjore "country, he found the proper officers, with all the accounts, had been re- "moved by the Nabob's orders from the villages †, and was ſoon informed, "that every part of the country was in the ſame ſituation; that every means "had been taken to throw difficulties in his way in the execution of the "Company's orders, and to diſtreſs the country and inhabitants. That "without the aſſiſtance of the Dobeer and his accounts, it would have "been impoſſible for the Raja to have obtained any knowledge of the re- "venues, or indeed to have been properly placed in the management of "his country; this man having been firſt miniſter, and in fact *governed* "*the Tanjore country* ‡ for theſe fifty years paſt. After Tanjore was taken, "he told the Nabob's ſecond ſon, who commanded there for his father, "that he would not deſert his maſter in his misfortunes, and refuſed to act,

* The proceedings of the Council were not *material*. They were ordered implicitly to obey the injunctions given by the Directors, relative to Tanjore. The *material* correſpondence paſſed between the Nabob and Lord Pigot; but as his Lordſhip has not choſen to tranſmit that correſpondence to the Court of Directors, it is not to be ſuppoſed he will be more complaiſant to the Supreme Council.

† Yet the Nabob had aſſured his Lordſhip, that the accounts of every village were to be found in itſelf. His Lordſhip was not at the trouble of enquiring.

‡ What then became of the authority of his Lordſhip's *old friend Pertaub Sing?* What of the prerogatives of his *Majeſty* Tuljagee?

"until

"until he carried him to the Raja, and deſired the Raja to lay his com- "mands upon him. On his (the preſident's) proceeding for Tanjore, the "Nabob ordered the Dobeer to be ſent out of the Tanjore country, with "all the public accounts. The Dobeer had retarded his journey by va- "rious pretences, and ſent a meſſage to the Raja, deſiring that he might "be conducted to Tanjore. The troop which attended the preſident, was "therefore ſent to eſcort him; but when the troop arrived at the place, "whence the meſſage to the Raja had been ſent, they found the Dobeer "had been conveyed from thence to Arialore; whither the commanding "officer of the troop followed, and eſcorted him to Tanjore.

"Our preſident wrote the Nabob, that if he would pleaſe to order the "ſeveral Amildars and other officers, to return with their accounts to the "Dobeer of Tanjore, juſtice might be done to every man, and the coun- "try reſtored in a proper and equitable manner. The Nabob, however, "to this day, has not been pleaſed to do ſo."

Our preſident adds, "he has always endeavoured to tranſact the buſineſs "of the Company, in the manner moſt *agreeable to the Nabob* *, but his "rule has ever been, that the *Company's buſineſs muſt be done.*"

We *will* never loſe ſight of the *treaty of Paris*; but we cannot believe, that treaty can be conſtrued to obſtruct any proper meaſure, which may be neceſſary for the Company's *ſecurity*, or the *ſafety* of the Carnatic †.

We have the honour to encloſe you an extract of our honourable Maſters orders to this preſidency *per* Royal Henry, dated the 25th November 1775, and alſo of the general letter from England received by the Lord Camden. We have no advices from you on the ſubject, to which this letter relates, ſince your letter of the 7th March, &c.

We have the houour to be,
Honourable Sir and Sirs,
your moſt obedient, and moſt humble ſervants,

Fort St. George,
13th June, 1776.

PIGOT, &c. Council.

[A true copy] D. BAINE, Dep. Mil. Sec.

* Witneſs the whole of the preceding conferences and letters!!!

† This is a *new* axiom in politics, that *hoſtility* and *invaſion* are neceſſary for the *ſecurity* and *ſafety* of a country.

Though

Though Lord Pigot, in his conference with the Nabob, on the 27th of May, when his Lordſhip flew into indecent fits of paſſion, deſired his Highneſs "*to forgive his fault*, for he had *ſpoken through madneſs*;" he ſeems to have relapſed into his former *rage*, upon the Nabob's application to Sir Edward Hughes, for protection. The ſtory concerning the *poor woman*, being litle credited, his Lordſhip had recourſe to a tale he had heard about *children*. This tale, upon being canvaſſed, fell alſo to the ground. The Nabob had never heard of the children, nor was the man in his ſervice. The perſon who had the children, was a merchant, a native of Arcot, and had long dealt in that ſpecies of commerce; which is commom in the eaſt, though not practiſed in Europe. It appeared, that this child-merchant had bought the children from their parents, and had treated them with great care and humanity; the Nabob, however, upon being informed of the circumſtances, ordered the children to be releaſed, gave them money, and ſent them back to their parents.

Extract of Minutes of Conſultation, 17th June 1776.

THE Preſident repreſents to the Board the many difficulties that attend the conſtant reſidence of the Nabob within the Company's bounds, from the frequent acts committed, which are incompatible with our laws.

Inſtances of murder, impriſonments, thefts, tortures, and ſuch like offences committed by the Nabob's people, wherein the interference of this Government is indiſpenſably neceſſary, have already happened in the ſhort time the Preſident has been here. He ſhould ill deſerve the truſt repoſed in him, if he let information of ſuch a nature paſs unnoticed; and if he is not paſſive, the Nabob will ever think his dignity hurt *.

Another inconvenience ariſes from the ſuits in the Mayor's court, againſt the Nabob's family and attendants, which occaſion applications that muſt lay the Preſident under the greateſt embarraſſment.

* Theſe general accuſations will gain little credit till facts are proved.

The

The Nabob has not mentioned it in his letter to Sir Edward Hughes, but the Preſident knows well he was moſt chagrin'd at the Preſident's having releaſed ſome children, ſtolen by a Moorman, *formerly*, if not at preſent in the Nabob's ſervice, and who was ſtopt in the Company's bounds, but conveyed away by the Nabob's officers into his Highneſs's country, and thereby has eluded the juſtice of the Engliſh laws. Of theſe children nineteen were taken from the Tanjore country, one from St. Thome, and two from Cuddalore.

The Preſident being deſirous to avoid every occaſion of *giving diſguſt to the Nabob*, and as circumſtances muſt occur daily to increaſe his diſcontent whilſt he remains here, the Preſident propoſes as the moſt effectual method to prevent theſe miſunderſtandings, that it be recommended to the Nabob to reſide at Arcot †.

Agreed that the Preſident be deſired to addreſs a letter to the Nabob to that effect.

Carried againſt the queſtion 7 to 5.

(A true extract) D. BAINE, Dep. Mil. Sec.

The following is Mr. Mackay's opinion on the Preſident's minute, inſerted in the draught of the general letter par. 8. PROPOSED by the Preſident, but *rejected* by a majority of the Council. The Preſident's words were, "the "Preſident recommends, that agreeable to the Company's ſtanding orders, "no member of the Council do henceforth *viſit*, or correſpond by *writing* or "by *meſſage*, with the Nabob, or either of his ſons."

Extract of Minutes of Conſultation, 17th June 1776.

I Put my negative on the Preſident's queſtion, becauſe I think the Court of Directors do not mean, that the Nabob ſhould be prevented from ſeeing any perſon whatever, much leſs members of this Government. I con-

† This ſtrange motion was ſurely the effect of paſſion; and it met with the fate it deſerved. It had been uniformly the policy of former Governors and Councils to encourage the Nabob to live at Madras, that they might partake in his councils; his intereſts and thoſe of the Britiſh nation were inſeparable.

ceive

ceive theſe orders muſt only mean that all correſpondence with the Nabob, and other country powers on their affairs, ſhould be carried on by the Preſident, and nothing more.

I apprehend, that making an order now, that members of the Council ſhould not viſit the Nabob, would be extremely improper, and more eſpecially as *accuſations* from the Nabob *againſt the Preſident* are now before the Board.

GEORGE MACKAY.

As a ſequel to the preceding papers, relative to Tanjore, it is thought proper to print the general letter in the military department, on the ſame ſubject. The letter from the Raja, alluded to, is ſubjoined; it being judged improper, to break the chain of the correſpondence between the Nabob and Lord Pigot, by placing it in the order of time. In this letter of the Council, in their military department, they ſeem to *approve* of Lord Pigot's conduct at Tanjore. They afterwards diſapproved of the *whole of the Preſident's conduct*, when at that place. This contradiction, in the ſentiments of the members, proceeded from their being better informed *afterwards*, than on the 14th of May.

General Letter from Fort St. George.

To the Honourable the Court of Directors, &c.

Military Department, May 14th 1776.

WE paid our reſpects to you by the Ankerwyke and Hilſborough, under date the 14th February, and then acquainted you, that the Nabob had admitted your troops into the garriſon of Tanjore the 9th of that month.

No perſuaſions however could induce him to concur in reſtoring the Raja. He ſaid he would not *oppoſe the execution of your orders*, but would never conſent to give up the Tanjore country. So circumſtanced, we determined, in conſequence of the order you had been pleaſed to ſend us by the Grenville, to reſtore the Raja by your authority; and we thought proper to entruſt the execntion of thoſe orders to our Preſident. He ſet out the 30th of

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of March, and returned from Tanjore the 5th of May; and we have now the pleaſure to tell you, that the Raja is put into poſſeſſion of the whole country his father held in 1762, when the treaty was concluded with the Nabob *.

His fort is not only garriſoned by your troops, but his country protected by them alſo; He has on this account engaged to pay into your caſh 400,000 pagodas annually, and will keep no other troops himſelf, but what are neceſſary for his guards, the number not to exceed 500. We have the greater ſatisfaction in informing you of this, as every meaſure we have taken has been at *his requeſt*.

And the encloſed copy of the Raja's letter, will, we flatter ourſelves, give you perfect ſatisfaction. We did not think it right to accept any additional country near † Devicotah. We have complied with the Raja's requeſt in all other reſpects, and our Preſident begs leave to aſſure you, that he cannot expreſs how grateful the Raja is for the juſtice you have done, nor how much he merits your countenance and protection.

Fort St. George,
14th May, 1776.

We are, *&c.*

PIGOT.	A. DALRYMPLE.
GEO. STRATTON.	W. STONE.
ROBT. FLETCHER.	ARCHDALE PALMER.
G. DAWSON.	FRANCIS JOURDAN.
HENRY BROOK.	GEO. MACKAY.
CLAUD RUSSEL.	

The day after the ceremony of the reſtoration at Tanjore, Lord Pigot ſays he *received* the following letter from the Raja. As his Lordſhip offered frequently *his ſervices* to the Nabob of Arcot, to write letters to himſelf (as has appeared in the preceding part of this collection), we can form no doubt but either he or hiſſecretary (or, *perhaps*, Mr. Dalrymple) *held the pen* for Tuljagee. This letter therefore may be con-

* So much ſtreſs has been laid upon this Treaty by Lord Pigot, that it was thought proper to print it in this collection.

† Becauſe, having taken the *whole country*, this became as ſuperfluous as the Preſident's expreſſions of the *Raja's gratitude*.

ſidered,

ſidered, as containing his *Lordſhip's ſentiments*, (rather than thoſe of his *man of ſtraw*,) or at leaſt what he wiſhed to hold forth to the Company as ſuch.

Copy of a Letter from the Raja of Tanjore, 12th April 1776.

THE ſatisfaction I feel on occaſion of ſuch a friendſhip and extraordinary juſtice as the Company have diſplayed towards me is ſo great, that were I to begin to tell you what my mind conceives on the occaſion, the ſubject would never have an end; had I a thouſand tongues, they could not expreſs my gratitude. When I had an interview with your Lordſhip, I opened to you the ſentiments of my heart; but as mere verbal declarations on this head are inſufficient, I have thought it proper to write you a letter.

I ſhall ever conſider myſelf as nouriſhed and protected by the Company, and ſhall therefore never *aſſiſt* or *ſuccour* their enemies *, no meaſure ſhall ever proceed from me, that is contrary to their intereſts; nor will I ever ſet on foot any connection with other powers, without the Company's conſent: This I have written as a means of increaſing the friendſhip that is between us. In the *preſent condition* of my country, the placing a garriſon of the Engliſh troops in the fort and city of Tanjore is *exceedingly neceſſary*; but beſides this garriſon, if the Company will allow ſome more troops likewiſe for the protection of my whole country, this alſo will be highly proper. If by the favour of Heaven this be put in execution, neither I or any of my family will need to apprehend that the calamities of war will fall upon this country again; and if the Company will only favour me thus far, I will with pleaſure aſſign them out of my revenues, the ſum of four lacks of pagodas *per annum*, for their military expences. The mode of payment as follows; November 20,000, December 40,000, January 40,000, February 100,000, March 100,000, April 100,000.

For my body-guard, I ſhall keep a body of men from one hundred to five hundred; and I want not to have one man either of horſe or foot, more than that number.

* This he had *ſworn* to do before; but he broke his *oath*.

As my finances are in utter diſorder, and the ſtate † of my country all in confuſion, I muſt throw myſelf on the Company for my preſent ſupport. I therefore wiſh them to *buy* of me at a reaſonable rate, all the grain of the preſent year, except what my country may be in need of. By this meaſure the Company will not be burthened, and I ſhall be enabled to defray the expences of my government, without running in debt.

Finally, as the Fort of Devecotah has no country annexed to it, I beg the Company will take what they think proper as a dependancy thereon.

The country of Tanjore is the Company's; I here only beg, that they will preſerve my honour.

Remarks on the Raja's Letter.

IT appeared, that Father Swartz, Colonel Harper and the Colonel's Debaſh, were the *penmen* of the epiſtolary correſpondence of the *King* of *Tanjore*, on the *leſſer affairs* of *his* KINGDOM; but this letter bears the mark of higher authority, being indubitably the performance of the *King*'s KING. The letter is ſo full of abſurdity, that it defeats the intention of the writer; and proves to demonſtration the *reverſe* of what he meant to inſinuate; viz. that the Raja is a *free agent*; and that he is *thankful* for the mode in which he has been reſtored. It proves alſo, what the Right Honourable writer did not mean to *prove*; that he has had *interviews* with the Raja, and that a *ſyſtem of corruption* is eſtabliſhed, by which *two thirds* of the revenues of the country may be ſunk into *private pockets*, WITHOUT ACCOUNT; and that individuals may occaſion a famine in the KINGDOM of Tanjore, under the pretence of buying, *for the Company*, the ſuperabundant grain at their *own price*.

What are the neceſſities, by the ſyſtem eſtabliſhed, which oblige the Raja to ſell the intire corn of his fertile country *at any* price? What are the bleſſings for which he is ſo thankful, that a thouſand tongues could not recount them?

† All the ſervants of the Nabob, placed for the management of the country and the collection of the revenues, had been removed by violence, and perſons choſen by Vincatachelum, Lord Pigot's Banyan or Debaſh, put in their ſtead.

The revenues of Tanjore amount to about 20 lacks of pagodas, or 800,000*l.* at leaſt annually; the Raja is not to maintain a ſingle ſoldier, the Company *at his requeſt* having undertaken to protect the whole, including the capital; and for this ſervice four lacks of pagodas, or 160,000*l.* are thought ſufficient: the ſurplus therefore is ſixteen lacks, for the 20 lacks *per annum* are clear of the charges of collection. Why then ſell all the grain of the country, at the hazard of a famine? Is the Raja to ſpend ſixteen lacks of pagodas, or 640,000*l. per annum*, in riot and debauchery? If not, what becomes of the corn and of theſe ſixteen lacks or 640,000*l.* annually? Lord Pigot, perhaps, can account for them. They are as eaſily accounted for, as any other part of his Lordſhip's conduct.

Under the Nabob's management, the Raja had every article of convenience, pleaſure, and luxury furniſhed him; and enjoyed a ſecurity, to which he had ever been a ſtranger, on account of the cruelty and oppreſſion of his adminiſtration.—What has Lord Pigot done more for him? He has given him a guard of 100 to 500 men, who will ſcarcely protect him better than thoſe who attended him before; and who will probably hold him equally a priſoner, without being *reſponſible* for his ſafety.

Whether the offer of receiving troops to *protect* the whole country of Tanjore originated from the Raja or his Right Honourable Reſtorer, is perfectly indifferent; but the meaſure will bring the Company to ſhame let who will be the author of it, being in itſelf a direct breach of the *national Guarantee*, the Company having thereby ſeized for their *own uſe* the moſt conſiderable diſtrict of the Carnatic, *in violation of the Nabob's independent rights*, which they were bound by treaty to preſerve.—The Raja, if capable of reaſoning, reaſoned thus; "You have ſeized my fortreſs of Tanjore, you may as well "ſeize more; I am a priſoner in my capital and cannot govern my country, "take therefore what land you think proper, as a dependency on Devicotah;" nay, take the whole. "*The country of Tanjore is the Company's, I "have only to beg, that they will preſerve my honour* †."

However the Governor and Council at Madras may plume themſelves on ſuch conduct as this; however the Directors at home may approve of ſuch ſervants; the King, the Parliament, and the nation, in whoſe name the Nabob implored the *clemency* of Lord Pigot in vain; and to whom he has now

† See the preceding letter, from the Raja.

made

made his ſolemn appeal will, it is to be hoped, for the honour of the nation, attend to the faith of treaties and the call of juſtice; and bring the abuſers of delegated powers, the uſurpers of ſovereignty, to condign and ſpeedy puniſhment.

The beſt comment upon the following letter is the extract of the letter from the Preſidency, of the ſame date, which is ſubjoined to it. The firſt letter is manifeſtly intended to give an *impreſſion*; but an antidote is annexed to the poiſon, by the majority of the Council.

Extract of a Letter propoſed *by the Preſident to be written by Adminiſtration here; followed by a Letter from the Preſident to Court of Directors.*

Fort St. George, 22d June 1776.

SHOULD you have received a ſhort letter we wrote you the 14th of May, you will be ſurpriſed to find, that *the whole of your Preſident's conduct, during the time he was at Tanjore*, has ſince been diſapproved by a majority of the Council. By the Grenville we ſhall tranſmit to you our Proceedings *complete*; in the mean while we think it neceſſary to ſay ſomething on the ſubject of our diviſions.

We incloſe a letter from Mr. Paul Benfield, dated 19th May, upon which it was that day reſolved, that the Raja of Tanjore being put in the full poſſeſſion of his country by the Company's expreſs orders, it is the opinion of this Board, that it is not in their power to comply with Mr. Benfield's requeſt in any reſpect. Thoſe claims on individuals which bear the appearance of having no connection with Government, not being ſufficiently explained to enable the Board to form an opinion thereon, and the aſſignments of the Nabob not being admiſſible.

A member of the Council, then in the majority, deſired this matter might be reconſidered at the ſucceeding Council; and when it was reconſidered, a majority voted that the reſolution of the 29th May ſhould not be confirmed, which was followed by Mr. Mackay's introducing, on the 14th June, theſe motions.

1ſt, That it is the opinion of the Board, " That the Nabob had a right " to the Government ſhare of the crop in the Tanjore country, the produce " of grain ſown during the time it was in his poſſeſſion, and that any mort- " gages he may have given on the ſame, are good."

2d, " That a letter be written to the Raja of Tanjore, to inform him of " the above reſolution of the Board, and to recommend to him to give Mr. " Benfield all reaſonable aſſiſtance, in recovering ſuch debts as appear to be " juſtly due to him from the inhabitants, as well as to reſtore to him the grain " of laſt year which was in the poſſeſſion of his people, and ſaid to be forcibly " taken from him.

3d, " That it be further recommended to the Raja to account with Mr. " Benfield for the Government ſhare of the grain, in the diſtricts aſſigned to " him by the Nabob, and ſaid to be forcibly taken from his people."

Theſe motions being ſeverally put to the vote, paſſed in the affirmative, viz.

For the Queſtion.	Againſt
Mr. Mackay,	Mr. Stone,
Mr. Jourdain,	Mr. Dalrymple,
Mr. Palmer,	Mr. Ruſſell,
Mr. Floyer,	Mr. Dawſon,
Mr. Brooke,	The Preſident.
Sir R. Fletcher,	
Mr. Stratton.	

We incloſe you a paper delivered into Conſultation the 10th June, by Mr. Dalrymple, containing a ſummary account of what had paſſed upon the ſubject, together with another paper delivered in the 17th, by Mr. Stratton, Sir R. Fletcher, Meſſrs. Brooke, Floyer, Palmer, Jourdam, and Mackay.

7th. We alſo tranſmit to you a letter we have received from the Governor, General, and Council of Bengal, with our reply thereto *.

* Theſe letters are printed in this collection.

8th.

8th. The Nabob, on the 3d June, addreſſed a letter to Sir Edward Hughes; copy whereof, together with Sir Edward's letter to us, and our anſwer, came incloſed. The Nabob's letter, which is written in Engliſh, and to which he has put his ſignature, was voted in Conſultation the 17th inſtant, to have been written purpoſely to create animoſity among the members of this Government. The Preſident then gave in the following minute.

" After ſuch a letter as that written by the Nabob to Sir Edward Hughes, " and after the ſentiments of the Preſident, expreſſed in the reply to Sir " Edward Hughes, as well as what paſſed in debate upon the ſubject, the " Preſident does hope the impropriety, nay indecency, of viſiting the Na- " bob under ſuch circumſtances, muſt ſtrike every member of the Council.

" The Preſident recommends that, agreeable to the Company's ſtanding " orders, no member of the Council do henceforth viſit, or correſpond by " writing or by meſſage, with the Nabob, or either of his ſons †."

The Preſident is more particularly induced to recommend this, as he is informed that the Nabob has been made acquainted with the proceedings of this Board; and he thinks it very improper any member of the Council ſhould be liable to the ſlighteſt ſuſpicion of divulging to the Nabob the proceedings of Government.

Your Preſident is of opinion, " that unleſs means are taken to prevent " Europeans from having connection and correſpondence with the country " Government in money matters, as well as others, your affairs will ever " be ſubject to embarraſſment."

10th. Your ſtanding orders poſitively prohibit all money tranſactions with the Country Government; but ſome members of the Council think theſe orders are no longer in force, being ſuperſeded by the Act of Parliament, which your Preſident cannot admit.

11th. The conſtant uſage of the ſervice was, that all intercourſe and correſpondence with the country powers was carried on by the Preſident alone. This ſeems to be confirmed particularly by your commands of the 22d March

† Vide Mr. Mackay's Minute in reply, on the 17th of June, printed in this collection.

1771, par. 2d and 25th; March 1772, par. 64th. But at preſent almoſt every man claims a right of ſuch intercourſe with the country powers as he thinks proper.

12th. The foregoing is the draught of a letter which I propoſed to be written to you from your Adminiſtration here. But the majority of the Council not conſenting thereto, I think it incumbent on me to tranſmit it to you, and ſhall add, that was I ſenſible any part of my conduct, ſince my arrival here, had been improper, I would acknowledge and endeavour to rectify it; but I am perſuaded I have done *my duty* ‡; and my duty only.

13th. The execution of your orders concerning Tanjore has given infinite ſatisfaction to the natives in general §. The Nabob was certainly not pleaſed *; but I am convinced he would have acquieſced, had he not been miſled by evil counſellors.

14th. The letter to Sir Edward Hughes, in which ſuch apprehenſions are expreſſed of danger to the Nabob's perſon, was not ſent till a week after † the viſit, which, it is pretended, gave riſe to thoſe apprehenſions; and in the interval I received a viſit from the Nabob's ſons, with a meſſage of compliment from their father ||. The Nabob is perfectly ſenſible that his whole dependence is on *your protection* ‡; and I am under no doubt that I can be on good terms with him *whenever I pleaſe*; but I think it more for *your dignity* and *intereſt*, that the Nabob ſhould firſt become ſenſible of the im-

‡ The majority of his own Council, and the Governor-general and Supreme Council of Bengal, are of a very different opinion.

§ A Gentleman now in London was preſent at Tanjore, when the Raja was reſtored by Lord Pigot, in the month of April laſt. He declares, that the whole country, remembering the former cruelties of Tuljagee, was ſhocked at his reſtoration. The Gentleman having queſtioned an old man of rank and property, a native of Tanjore, how he liked the reſtoration of Tuljagee? The old man replied, "That it were to be much wiſhed ſuch a profligate *fellow* had never been reſtored; for, ſays he, he is ſo mean in ſoul, and naturally ſuch a *Barrawar*, (or *pimp*) that "he would proſtitute his ſiſter or daughter to ———, and even ſoon *eat beef* with him."

* We have a pretty good proof of this in the preceding papers.

† It was neceſſary for the Nabob to ſound (by the means of others) Sir Edward Hughes, whether he would protect him, as an ally of Great Britain, before he made his application in form.

|| A piece of mere *Eaſtern politeneſs* without any meaning.

‡ Yet his Highneſs appeals from the Company to the juſtice of the King, Parliament, and Nation.

propriety

propriety of his conduct, in placing his truſt in men who have as little regard for *his intereſt* as they have for *yours* †.

I will go on as I have begun, ſtrongly recommending every meaſure that appears to me proper, and reſolutely maintaining, that nothing ſhall be done which, in my opinion, may involve your affairs in difficulty.

A majority of the Council having rejected the preceding letter, the following caution againſt it was written to the Company.

Extract of a Letter from the Governor and Council of Fort St. George, dated the 22d June 1776.

THE letter now tranſmitted by the Preſident having been *propoſed* by him, to be ſent from the Board, was *rejected* by a majority of *ſeven* to *four*, for reaſons which will appear upon the records. We hope you will *paſs no opinion* upon the ſubjects of that letter, until you receive the whole proceedings; which will be ſent by the next conveyance.

In the year 1762, Mr. George Pigot having, for reaſons beſt known to himſelf, taken an affection to the intereſts of *Pretaupa* or *Pertaub Sing*, Raja of Tanjore, reſolved to make a treaty between that Zemindar and his feudal Lord, the Nabob of Arcot. To pave the way for the treaty, a Company's ſervant was ſent to Tanjore by the Preſidency at Madras; and the Nabob finding, upon his return, that the conditions propoſed to be granted to his feudatory, were highly prejudicial to his *rights* and *intereſts*, wrote the following letter.

Tranſlation of a Letter from his Highneſs the Nabob to Governor Pigot, dated the 24th Zehige 1175, or 17th July 1762.

ON the 21ſt Zehige, Mr. Du Pré arrived here from Tanjore, by whoſe repreſentation, I underſtand, that the Raja of Tanjore had *verbally*

† It is difficult to ſay, whether his Lordſhip means thoſe whom he calls *raſcals* in *India*, or others *here*, whom he has been pleaſed in his conferences to dignify with the ſame *honourable appellation*.

‡

agreed

agreed to ſettle money matters. The ſums, you will be informed of by Mr. Du Pré's letter, are according to the following conditions.

Firſt, That I ſhould give the Raja a full diſcharge for what has been ſettled to the end of 1172 Fuſly. You and I wrote to the Raja in the year 1171 Fuſly; and Mr. Du Pré went in the ſame year to Tanjore. The Raja delayed the negotiation for that year. It is now but two days that the year 1172 Fuſly is begun, and there are twelve months of it to come; yet the Raja deſires that we may not demand any money from him till this year is over.

Secondly, That the bond of ſeven lacks of rupees, which he executed to the deceaſed Nabob, and for which he is indebted as well as for the preſent tribute, ſhould be given up to him, and a diſcharge for the ſame.

Thirdly, He propoſes to engage to pay the ſtipulated ſums between the beginning of 1172 Fuſly, to the end of the 1174, making three years.

Fourthly, He requires that I ſhould give up the fort of Arnee, though even the fort of Tanjore was never given to his anceſtors; therefore, what right can he have in the fort of Arnee? The thing is this, At the time that King Alum Geer took the kingdom of Hydrobad, the Marattas, thinking that the Carnatic was without a maſter, took poſſeſſion of it. They are certainly nothing but thieves. Alum Geer ſlead alive Sevaw, who was father to Raja Sahow; and Sahow himſelf was put into priſon. Mahomed Caumbauſh, ſon of the King *, and the Nabob Aſud Cawn Vizier, and Zulphucaur Cawn Buxſhy were employed to expel the Marattas, and took poſſeſſion of the forts of Gingee, Vellore, &c. In the mean time King

* The word King is never given to any perſon in India except the Mogul. When the Portugueſe firſt made conqueſts in India on the Malabar coaſt, they dignified the Samoria and other Rajas with the appellation of King, on account of the reſemblance which the word *Raja* bore to *Rey* (or King); hence we read of the Kings of Cochin, Calicut, &c. whoſe kingdoms and forces were found unequal to reſiſt a few adventurers. The Portugueſe having made no conqueſts in the interior parts of Hindoſtan, thoſe Rajas never obtained the royal appellation, though infinitely more powerful than the ſouthern Rajas, ſuch as the Raja of Burdwan, Nudden, &c. In this part of the country Rajas are ſo common, that many of them are reduced from neceſſity to act as Banyans. Colly Churn (who had been condemned to work on the roads in chains for his villanies) is a Raja, and was Banyan to Colonel Champion. It would have ſounded rather odd in the army, had Colonel Champion ſaid to one of his Hircarrahs, "Go tell the *King*, my *Ban-* "*yan*, that I want his Majeſty immediately to buy me a larger pair of ſhoes." The word *Pacha*, and not *Raja*, means King.

Alum

Alum Geer died; and differences aroſe between Alum Shaw and Bahauder Shaw. Zulphucaur Cawn, who ſupported the Marattas, had, on his requeſt to Alum Shaw, the Raja Sahow releaſed from priſon. On account of the variance between the deceaſed King's two ſons, there was no power employed to drive the Marattas out of the country, otherwiſe the Tanjore country would not have remained in the poſſeſſion of thoſe people. In the firſt place, this country belonged to the Hindoos; the Raja's anceſtors poſſeſſed themſelves of it by deceit. When our King took Hindoſtan, all the Hindoos ſubmitted to him, and agreed to pay him tribute. Thoſe people therefore ſhould be under our orders, and pay us tribute. The Raja calls himſelf a Maratta; in what manner the Marattas treated him, I write for your information. When Ragou Zatté Sing came into this country, and took the fort of Trichinopoly from Chundah Saib, he ſent a meſſage to the Raja to pay him a Crore * of rupees, otherwiſe he would take from him the fort of Tanjore. The Raja agreed without heſitation to pay him a Crore of rupees; and as a hoſtage, gave Govinderow Suttigar, who was the manager of the Tanjore country, and Ragou Fatté Sing carried him away, and put him priſoner at Cittera. When their troops withdrew from the country, the Raja did not ſend even a dam of the money he had agreed to pay, and the hoſtage remained ſome years in priſon. He at laſt bribed the guards, and made his eſcape in the time of the late Nabob.

Fifthly, He wants that the Coallery and Elengaur ſhould be in his poſſeſſion. The thing is this; The mound of the river is near the Coallery, whereby the Tanjore people are held in obedience; you will be informed of the ſituation of the mound by my letter to Mr. Du Pré, a copy of which has been ſent to you. Should any variance ariſe, and the mound be in conſequence broken down, the Tanjore people would ſuſtain great loſs; as they could not in that caſe have water. Subter Aly Cawn broke down this mound, reduced the country, and took poſſeſſion of it, and put a garriſon of fifteen hundred of his troops into Tanjore Fort, under the command of Shien Lutfulla, and looking upon the fort and country as his own, he repaired the mound.

Suppoſe the maſter of the country gives the mound into the hands of the Tanjore people, the boundaries of Tanjore, which are now eight coſs from

* One million two hundred thouſand pounds.

Trichonopoly, will be brought within one coſs of it, which would give great offence to the Zemindars and other inhabitants of the Trichinopoly country; they will ſay, that ſuch a thing never happened from the firſt eſtabliſhment of the former Rajas, and that it is an extraordinary meaſure, to leave the mound at this time in poſſeſſion of the Tanjore people. If we aſſign it to them by writings, how ſhall we be able hereafter to withdraw it? I will give you an example. The Raja of Tanjore gave by Sunned to the Tondyman, Heranelly, &c. In the truce concluded between the French and Engliſh for eighteen months, the Raja (though forbid by the Engliſh and me) took the Tondyman's country from him by arms. If any attention is to be given to a Sunned, the Raja ſhould return to the Tondyman, Heranelly, and other countries he took from him; as alſo, he ſhould give up countries which he has, without my Sunned, taken from Malacotty and the Marawar, who are my tributaries. When I demand from them my tribute, which has been a long time due, they excuſe themſelves from paying it, by ſaying, that the Raja has got poſſeſſion of their countries. He ſhould give up theſe countries, that I may give eaſe to the minds of the Zemindars belonging to Trichinopoly. Though he pays no regard to his own Sunnud, he ſhould yet attend to the Sunnud of others. The ſituation of this buſineſs, you'll be fully informed of by my letter to Mr. Du Pré, a copy of which I have ſent to you.

Sixthly, The tribute which the Raja uſed to pay to the former Subahdars of Arcot, and to the deceaſed Nabob, he has entirely omitted, and wiſhes to fix his tribute at two lacks of rupees from the year 1173 Fuſly. All the Raja's propoſals are of a nature never mentioned ſince the eſtabliſhment of Trichinopoly and Tanjore, and are ſuch as can by no means be approved of. He has given no part of the tribute, &c. due for fifteen years, and amounting to above a Crore of rupees. He propoſes to pay a little money this year, none the next, and a little the third: Thus it would be a matter of little difference, whether buſineſs is ſettled or not. Subter Aly Cawn, and Coja Abdulla Cawn, though they had but few troops, took a large ſum from the Raja. By the bleſſing of God, and your ſupport and aſſiſtance, I have much more power than they had. If I have not a right to more money than they got, I ought to receive what was determined on by my father. If it is your intention to ſettle this buſineſs according to the Raja's wiſhes, through apprehenſion that he may join the French

French and Dutch, you may underſtand by my letter to Mr. Du Pré, that he has agreed to do that already; what he then promiſed them he will now perform. If you do not think proper to ſend troops at preſent againſt Tanjore, we ſhall, by the bleſſing of God, hereafter find means to oblige them to pay the tribute. It is the cuſtom of this country, for the ſovereign (if the Zemindars do not pay their tribute regularly, and there is not a good opportunity to oblige them to it) to collect, when they have the power of doing ſo, the tribute and arrears at once. It was agreed on between Bumrage and me, that he ſhould pay me a tribute of ten lacks of rupees; but not finding a favourable opportunity, I did not then inſiſt on it, but received, without any condition, what money he would pay. The tribute from Bungaur Yatchum, and the Collaſtry Raja, I have received according to agreement, except fifty thouſand rupees from each, which I would not take, as their troops were employed with mine, and ſuffered much in battle, as did their Peons; but I was under no agreement to allow them that money. I write you this long letter, to ſhow, that the Tanjore people have not till now employed any mediators in their buſineſs with me, but now you are deſirous of being a mediator. According to the eſtabliſhment of the Zemindars, I cannot alter the tribute; therefore I think it proper to put off the concluſion of the preſent matters. As there is friendſhip between you and me, I write you the ſentiments of my heart. It was my intention to ſettle the buſineſs of Tanjore, and that the Engliſh troops ſhould be employed only for the important buſineſs of getting in money for the expence of the Company. I intend, by the bleſſing of God, that the remainder of the debt due to the Company (which is but trifling), ſhall be paid off in the year 1172 Fuſly. If I do not get the whole money due to me from Tanjore, what ſhall I be a gainer? If you think that we can receive the money without war, and that I ſhould quit the Raja, as I do not approve of the before-mentioned terms, and ſhould he have the benefit of your mediation, he ought agree to pay in ready money, or by bills of Buckangee, Goverdendaſs, and Ballabundar Soucars, at three or four months date, the money due to the end of 1170 Fuſly, or at leaſt to the end 1171 Fuſly. I can then give my diſcharges to the time fixed. I write you my real ſentiments, and hope that the juſtice of my claims, and my influence and my power (which are due to the aſſiſtance of the Engliſh)

you will ſo far keep in your view, that they may not be leſs than that of former Subadars.

What can I ſay more?

Notwithſtanding the remonſtrances of the Nabob, he was *forced* to agree to the treaty. The injuſtice of the conditions, with reſpect to his Highneſs, is fully ſet forth in the preceding letter, but ſome *farther* obſervations upon it ſhall be ſubjoined.

Treaty with the King of Tanjore in 1762.

Fort St. George Secret Conſultation, the 20*th Sept.* 1762.

A Treaty and Agreement made and concluded between Woomdatool Moollock, Serajel Dowlah Anaverde Cawn Behauder, Munſoor Jung, Nabob of the Carnatic, Pyen Gaut, and Pretaupa Sing, Raja of Tanjore, in manner following.

WHEREAS a deſtructive war, fomented and carried on by the French and their allies, againſt the ſaid Nabob, hath for many years laſt paſt waſted and afflicted the province of Carnatic Pyen Gaut, in which war the ſaid Nabob Annaverde Cawn Behauder hath, at length, with the aſſiſtance of his allies, proved victorious, and reſtored peace and tranquillity to the ſaid Province: And whereas, at ſundry times during the ſaid troubles, the ſaid Raja Pretaupa Sing did yield ſome aid and aſſiſtance to the ſaid Nabob Anaverde Cawn, whereby, as well as by the neceſſary defence of his own kingdom againſt the French, he hath been put to great expence: And whereas, by reaſon of the ſaid troubles, neither the account of Paiſh caſh due from the ſaid Raja to the Mogul, and payable to the Nabob of the Carnatic, nor the account of expences of the ſaid Raja, incurred as aforeſaid, have been ſettled or adjuſted; but now, it having pleaſed God to reſtore peace to theſe countries by the expulſion of the common enemy, the ſaid Nabob and the ſaid Raja being equally deſirous that the people whom God hath placed under their rule may enjoy the full fruits thereof, have mutually conſented to eſtabliſh a firm friendſhip between them; and to that end they have agreed, and do agree, to ſettle and adjuſt all accounts and matters of diſpute between them in manner following; and they do faithfully promiſe, each for what concerns himſelf, punctually to perform the ſame.

I. The

I. The ſaid Raja Pretaupa Sing doth hereby oblige himſelf to pay unto the ſaid Nabob Cawn Behauder the ſum of twenty-two lacks of rupees, coined in the Engliſh Eaſt India Company's mint at Fort St. George, or the value thereof in ſtar pagodas, coined in the ſaid mint, valuing the ſaid rupees at the rate of 350 for 100 pagodas, at the times and in manner following, that is to ſay,

On the day of ſigning this agreement by the ſaid Pretaupa Sing three lacks of rupees — — — — — —	300,000
In the month of April 1763, five lacks of rupees — —	500,000
In the month of November 1763, five lacks of rupees —	500,000
In the month of April 1764, five lacks of rupees — —	500,000
In the month of Auguſt 1764, four lacks of rupees —	400,000
In all — — Rupees	2,200,000

And the ſaid Nabob Anaverde Cawn Behauder doth agree to accept of the ſaid twenty-two lacks of rupees, in full payment and ſatisfaction for or on account of Peiſh Caſh, and in full of all accounts and demands whatſoever, unto the 10th day of July laſt paſt; being the full term and expiration of the year of Phaſley 1171.

II. The ſaid Raja Pretaupa Sing doth hereby oblige himſelf to pay yearly, in the month of July, unto the ſaid Anaverde Cawn Behauder, or his ſucceſſor, the ſum of two lacks of Rupees, as a Peiſh Caſh or tribute to the Mogul; and foraſmuch as it hath been the uſage and cuſtom to make certain preſents to the Nabob and his principal officers, at the time of paying the annual Peiſh Caſh, the ſaid Raja doth promiſe to pay yearly to the ſaid Nabob or his ſucceſſors, at the day and time of paying the ſaid Peiſh Caſh, the further ſums of two lacks of rupees as a preſent; provided that no further ſum, either for Peiſh Caſh or Durbar Charges, be demanded of him; which ſaid two lacks, making together four lacks, ſhall be paid in rupees coined in the Company's mint, or in ſtar pagodas at the above-mentioned exchange; and the ſaid Nabob Anaverde Cawn Behauder doth agree to accept of the firſt named ſum of two lacks, in full for the annual Peiſh Caſh due to the Mogul; and alſo of the ſecond named ſum of two lacks of rupees, in full for the uſual and cuſtomary preſents or Durbar Charges; and doth hereby promiſe that he will not demand any thing more.

III.

III. Whereas the ſaid Nabob Anaverde Cawn Behader hath in his poſſeſſion a bond given by the ſaid Raja Pretaupa Sing, unto the ſaid Nabob's late Father Anaverde Cawn Bahader, dated the 15th Moon Zehedgha Hygra 1158, for the ſum of ſeven lacks of rupees, which bond appears fair and uncancelled, and without any receipt or indorſement thereon, although the ſaid Raja Pretaupa Sing doth allege, that the ſame, or the greateſt part thereof, had been diſcharged, the ſaid Nabob Anaverde Cawn Behader, as a teſtimony of his good inclinations to cultivate a laſting friendſhip with the ſaid Raja, doth promiſe, at the time of ſigning this agreement by the ſaid Raja, will cauſe the ſaid bond to be delivered up to him to be cancelled, as if the ſame had been fully paid and diſcharged.

IV. The ſaid Nabob Anaverde Cawn Behauder doth hereby confirm unto the ſaid Raja Pretaupa Sing the full and free poſſeſſion and enjoyment of the diſtricts of Coiladdy and Clangaud, which diſtricts the ſaid Nabob did give and grant unto the ſaid Raja during the late troubles, as may appear by the ſaid Nabob's Saneds.

V. The ſaid Nabob Anaverde Cawn Behauder, having expended immenſe ſums during the late troubles, in defence of the province under his government, found it neceſſary, after the expulſion of the common enemy, to call upon the ſeveral Jemidars, Polygars, and Jaguedars, to contribute each a moderate ſum, towards reimburſing the monies ſo expended in procuring the bleſſings of the peace of which they became partakers; and amongſt others, did demand of Tremaul Row, Killidar of Arni, his reaſonable *quota*; but the ſaid Tremaul Row having obſtinately refuſed to comply therewith, and having alſo in other reſpects behaved himſelf diſobediently, the ſaid Nabob found himſelf obliged to compel him to a compliance with his demand, and did accordingly ſubdue and take the Forts of Arni and Doby Guddy, with all the Jagueer thereunto belonging, as alſo the perſon of the ſaid Tremaul Row, with his family and others. The ſaid Nabob having thus convinced the ſaid Tremaul Row, and all the world, that he can and will enforce due obedience in all who are ſubject to his government, is now equally deſirous of ſhewing to all mankind that compaſſion is ſtronger in him than reſentment. From theſe motives, as well as in condeſcenſion to the requeſt of the ſaid Raja, Pretaupa Sing, the ſaid Nabob doth hereby promiſe, that as ſoon as the ſaid Raja ſhall have ſigned this agreement, he the

the ſaid Nabob will cauſe the ſaid Tremaul Row, with his family, attendants, and all other perſons who were taken and made priſoners at Arni, to be releaſed and ſet at full liberty. And further, that on the day the ſum of three lacks of rupees, mentioned in the firſt article hereof, ſhall be paid, he will cauſe the ſaid Tremaul Row to be put in full poſſeſſion of the whole Jagueer he poſſeſſed and enjoyed before the capture of Arni (excepting however the ſaid Fort and Doby Guddy, which the ſaid Nabob will retain in his own poſſeſſion). And provided that the ſaid Tremaul Row ſhall not at any time hereafter erect, or cauſe to be erected, any fortreſs, walled Pagoda, or other ſtrong-hold; and that he ſhall not even erect or build any wall round his dwelling-houſe exceeding eight feet high, and two feet thick; and further, that the ſaid Tremaul Row ſhall in all things behave himſelf with due obedience to the government, and pay yearly, in the month of July, unto the ſaid Nabob, or his ſucceſſors, the ſum of ten thouſand rupees; and the ſaid Raja, Pretaupa Sing, doth promiſe for the ſaid Tremaul Row, that he ſhall in all things demean and behave himſelf accordingly, and pay yearly the ſtipulated ſum.

WE George Pigot, Eſq; Governor of Fort St. George, and all the Forts and Factories, and places ſubordinate thereto, Preſident of the Council for all the affairs of the Engliſh Eaſt India Company on the Coaſt of Coromandel, and alſo the ſaid Council, whoſe names are hereunto ſigned, having greatly at heart the peace and tranquillity of the countries where the Company holds poſſeſſions, and to which they trade, ſee with great ſatisfaction the concluſion of the Treaty of Friendſhip between Nabob Woomdatoul Moolock, Serajel Dowlah, Anaverde Cawn, Behauder, Munſoor Jung, Nabob of the Carnatic, Payen Gaut, and Pretaupa Sing, Raja of Tanjore, of which the foregoing is a tranſlation; and being willing and deſirous, as much as in us lies, to eſtabliſh the friendſhip between them upon a laſting foundation, do hereby promiſe to guarantee the performance of the ſaid Treaty, being thereunto invited by both parties; and accordingly we do hereby promiſe, as far as in us lies, that in caſe either party ſhall fail in the performance of the Articles he hath hereby undertaken to perform, or any part thereof, we will to the utmoſt of our power aſſiſt the other party, to compel him who ſhall fail to fulfil his agreement, and to render due ſatisfaction for his failure therein. In witneſs whereof we have hereunto ſet our hands, and cauſed

the

the ſeal of the ſaid Company to be affixed hereto, in Fort St. George, the 12th October 1762.

GEORGE PIGOT, &c.

Ordered, That two copies thereof be wrote in the Perſian and Maratta languages; and that one of the Perſian copies, with a Maratta and Engliſh tranſlation annexed, be executed by the Nabob, and delivered to the King of Tanjore; and that a Maratta copy, with a Perſian and Engliſh tranſlation annexed, be executed by the King of Tanjore, and delivered to the Nabob; and that the inſtrument by which the Governor and Council guarantee the ſame, with a Perſian and Maratta tranſlation be annexed to each of the parts.

The following inſtructions are ſigned and delivered to Mr. Du Pré.

To Joſias Du Pré, Eſq.

SIR,

Having well weighed and conſidered all circumſtances relative to the negociation with the King of Tanjore, the nature of the Nabob's demand, the objections made by the King, and the propoſals offered by him, the conſequences of a rupture, and the advantages of an accommodation, upon the whole we have come to a final reſolution, and have obtained the Nabob's conſent to certain articles, which we hope the King may be prevailed on to ſubſcribe to; theſe articles are digeſted in form of a Treaty, two parts thereof are delivered you here, with the one ſigned by the Nabob, the other to be ſigned by the King, if he approves it, and both ſubſcribed by us as guarantees. You are to proceed to Tanjore, and endeavour to prevail on the King to accept the terms propoſed; ſhould you ſucceed herein, in ſuch caſe, upon his ſigning that part of the Treaty which is drawn out in that intention, you are to deliver to him the other part which is ſigned by the Nabob, and receive from him the ſum of three lacks of rupees, mentioned in the firſt article of the Treaty to be paid in ready money, or you may accept Soucar bills for the ſame.

You are alſo to receive from the King of Tanjore in ready money or Soucar bills, five lacks of rupees, which he offered as a preſent. This ſum is not mentioned in the Treaty, becauſe it is not the cuſtom in tranſactions between the

the Indian powers, to mention in public writings the ſums given as preſents. Of the ſaid ſum the Nabob has conſented to diſtribute amongſt the King's principal officers, one lack for their uſual cuſtom, called Datraihy, and the remaining four are to be placed to the credit of his account with the Company.

By the third article of the Treaty the Nabob promiſes, that upon the King's ſigning the treaty, he will cauſe a bond, given by the King to the Nabob's late father, for ſeven lacks of rupees, to be delivered up and cancelled; the ſaid bond is incloſed, and you are to deliver it up accordingly, upon the King's ſigning the treaty, but not otherwiſe.

The Nabob alſo engages by the 5th article, that on the day of ſigning the ſaid Treaty by the King, he will cauſe Tremoul Row, late Killedar of Arni, with his family, &c. to be releaſed and ſet at liberty. Incloſed is the Nabob's order for that purpoſe, which is to be uſed accordingly.

If you ſhould not be able to prevail on the King to ſign the Treaty as it is drawn out, you are to acquaint him, that you are not empowered to make any further conceſſions or alterations; and therefore you are to take your leave and return hither.

We wiſh you ſucceſs, and are

SIR,

Fort St. George,
20th September, 1762.

Your affectionate friends,

GEORGE PIGOT, &c.

The infringement made upon the Nabob's rights, by depriving him of the province of Tanjore; the hoſtile invaſion of his other territories by Lord Pigot's orders, the inſults offered to his perſon and authority, the calumnies raiſed againſt his character, and the threatening him with impriſonment and diſgrace, *compelled* his Highneſs to give POSITIVE DIRECTIONS, for laying the following REPRESENTATION before the Court of Directors; which was accordingly done on the 11th day of February 1777.

To

To the Court of Directors of the United Company of Merchants, trading to the Eaſt Indies.

*The Repreſentation of the Nabob Wau Lau Jah, Ummeer ul Hind, Omdah ul Mulk, Auſuph ul Dowla, Unwar ul Dien Khan Behauder, Zuphur Jung, Sepoy Saulaur, Soubahdar of the Carnatic; deſiring Redreſs of the Grievances ſet forth in his Highneſs's Letter to the Court, bearing date the 12th February 1776 *.*

THE conduct of your Governor, the Right Honourable George Lord Pigot, has been ſubverſive of the guarantee contained in the eleventh article of the Treaty of Paris; his Lordſhip having treated with diſreſpect and inſult, expoſed to contempt, and in effect levied war upon his Highneſs, the avowed friend of the Company, the recognized and moſt faithful ally of Great Britain.

The patience and reſignation with which his Highneſs has endured theſe injuries and indignities, though they have ſullied his honour and diſgraced his government in the eyes of all Hindoſtan, demonſtrate to the world his reliance on the juſtice of the Company, the Faith of Treaties, and the *Protection of the King and Parliament of Great Britain.*

The numerous and repeated acts of violence, diſreſpect, and hoſtility, of which the Nabob complains, and for which he demands redreſs; as well as the reſignation and patience with which he has borne them, and abſtained from reſiſtance; are manifeſt in the correſpondence, by letters and conferences, between his Highneſs and Lord Pigot; which are ready to be produced to the Court.

Before the orders of the Court of Directors for reſtoring the country of Tanjore to its former Zemindar could be known, or were even ſuſpected, by the Nabob, his Highneſs had given it in command to explain to the Court the unlimited extent of his friendſhip for the Company, and his firm reliance and dependance on the juſtice, protection, and ſupport of his Majeſty and the Parliament of Great Britain.

* This letter is already in the hands of the Public; being prefixed to the *State of Facts relative to Tanjore.*

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The declarations made to the Court on his Highneſs's part, on the 13th of February 1776, have ſince been confirmed in all his letters to Lord Pigot. In theſe letters he has repeatedly called upon his Lordſhip, not to oppreſs the "old and faithful ally of Great Britain, ſinking in the whirlpool!" He has pointed out the miſinformation under which the Court of Directors had given their orders to his Lordſhip; the injuſtice of theſe orders, their bad policy, their inconſiſtency and direct breach of *former orders*, and their infraction of the National Treaty, by which his Highneſs's rights are ſecured to him and his heirs for ever. He has conjured his Lordſhip, in the name of *the King, the Parliament, the Nation of Great Britain*, to defer the carrying his orders into execution, until the Court of Directors ſhould have time to take his remonſtrances and complaints into mature deliberation, and reconſider what they, or rather a former Court, had done.

That Lord Pigot might have no excuſe for refuſing this requeſt, the Nabob offered in the mean time to fulfil all the ſtipulations made by his Lordſhip with the Raja, to pay the troops admitted by his Highneſs as a garriſon into Tanjore, to defray the expence of the Raja's houſehold, to increaſe his allowance to whatever ſum Lord Pigot pleaſed; and to depoſit the ſurplus revenues in *ſacred truſt*, not to be appropriated until the Company ſhould decide upon his right.

But every inſtance of condeſcenſion on the part of his Highneſs, has been repaid by an increaſe of perſonal diſreſpect on the part of Lord Pigot; who at length proceeded ſo far, as to threaten the Nabob with placing "a "guard of ſoldiers on his houſe; and to keep him in priſon, and in his own "power:" which obliged his Highneſs to apply to the Commander in Chief of his Majeſty's ſquadron for protection, as an inſulted ally of the King and nation, threatened with every miſchief to be apprehended from a man, whoſe power was great, who daily abuſed it, and whoſe enmity knew no bounds.

Under oppreſſions and injuries, ſuch as never before were offered to a Prince in his own dominions, the Nabob relied on the juſtice of his cauſe for redreſs; and in order to demonſtrate the rectitude of his intentions be-

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yond the poſſibility of a doubt, his Highneſs *now* declares, that he wiſhes for nothing ſo much as a thorough inveſtigation of his rights; and in the mean time he will conſent, "that the country of Tanjore ſhall be managed "by commiſſion; that the ſubſidy for the maintenance of the Engliſh gar- "riſon ſhall be paid; the expences of the Raja's houſehold and guard "defrayed; the charges of Government borne; and the ſurplus of reve- "nues depoſited with the Crown of Great Britain in truſt, until the mat- "ter of right ſhall be decided. The commiſſion for managing the country "to conſiſt of three perſons; one to be named by his Highneſs, one by "the Raja, and a third by the Governor General and Supreme Council "of Bengal."

But the Nabob thinks himſelf bound to declare, with that candour which will ever guide him in his tranſactions with the Company, that if this friendly propoſition on his part ſhall not meet with an acceptance, he will find himſelf under the neceſſity of calling upon the guarantees of the Treaty of Paris, in the moſt ſolemn manner; and of petitioning the King and Parliament of Great Britain, to take him and his territories into their immediate protection. For his Highneſs muſt conſider the breach made upon the national guarantee, the indignities offered to his perſon, the inſults put upon his government, and the acts of hoſtility committed againſt him (if not redreſſed without delay), to be a total infringement on the friendly connection between his Highneſs and the Company.

What can his Highneſs ſay more?

London, 11th February 1777.

OBSERVA-

OBSERVATIONS.

SHOULD the Court of Directors refuſe the propoſition contained in the foregoing REPRESENTATION of the NABOB, their temerity could not fail to aſtoniſh the Proprietors, as much as it would the world in general. His Highneſs declares in expreſs terms, that he "muſt conſider all friendly "intercourſe with the Company to be at an end the moment his propoſi- "tion is rejected by them; and that he muſt, in ſelf-defence, claim the pro- "tection of the King and Parliament, and petition that he may be taken, in "matters of territory, out of the hands of the Company for ever."

Is this a matter of ſo little importance to their conſtituents, that the Directors ſhould not think the propoſition worthy of their deliberation? Could they vindicate, upon any principle of policy or juſtice, the rejection of an offer, which, in effect, leaves the deciſion of the point in diſpute entirely to themſelves, while it provides the only poſſible ſecurity, that the country of Tanjore may not be ruined in the mean time, and the revenues ſquandered without account, check, or control?

In ſuch a caſe would it be unfair to judge, that the ſame *hidden* motives, which firſt brought about and obtained the abſurd and unjuſt orders for the reſtoration of Tanjore, ſtill operated againſt reverſing them? Nothing would have been more probable, if we were to reaſon from the meaſures which were ſaid to have been intended to be purſued by the *leading* Directors, in reſpect of this buſineſs. Inſtead of coming to a manly inveſtigation of the Nabob's rights, and the cauſes of their own errors, it was much feared recourſe would have been had to ſhifts equally trifling, ineffectual, and uncandid. The abettors of the orders endeavoured to intrench themſelves

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behind muſty, *unauthoritative* records, which prove nothing but the ignorance of the *compiler*, and to avail themſelves of a *miniſterial ſanction*, which only tends to ſhew their own want of candour and audacity, in venturing to lay an *unfair*, *partial*, and *mutilated ſtate* of the caſe, before the Secretary of State, for his conſideration. The *Directors* who drew it, or directed it to be drawn, knew that *lawyers* give their opinions conformable to the ſtate laid before them. And the ſtate of the Nabob's caſe was calculated, by miſrepreſentations and miſinformations, by perverſion of ſome facts, and ſuppreſſion of others, to *ſurpriſe* the Miniſters into ſuch an opinion as the *leaders* wanted, not ſuch as juſtice to a faithful ally required.

In vain would they endeavour to prove, as a defence of their meaſures, "that the Raja of Tanjore has been called King, and exerciſed rights of "ſovereignty for a long time back; that the Company derived poſſeſſion "of lands from his Sunneds; that Mahomed Ali Cawn is not the *eldeſt ſon* "of his father; that the Raja was ordered by a Phirmaund of the Mogul "to pay his tribute to the Buxy of the Empire at Delhi, and not to the "Soubahdar of the Carnatic;" and many other points equally important. For it will be found, that all the arguments drawn from thence will militate againſt themſelves, and demonſtrate the *ſuperlative ignorance of their* COMPILER, both in regard of the ancient and preſent ſtate of India.

As there is reaſon to think that thoſe who oppoſe juſtice in the India-houſe lay great ſtreſs on ſuch-like arguments, let us conſider each of theſe heads briefly.

1ſt, "The Raja of Tanjore has obtained the title of King in the Company's Records," &c. This only proves, that the Company were unacquainted with the meaning of the word Raja. Till within theſe thirty years, the Company, and even their ſervants abroad, were totally ignorant of the interior parts of the Mogul Empire: they were confined to the mere diſtricts of the factories, and did not dare to ſtir beyond the verge of their grants. At Bengal their utmoſt limits did not extend two miles from the fort; and ſtragglers were liable to the moſt degrading inſults and puniſhments if they ventured beyond them. The Raja of Kiſtnagur (who, by the bye, never obtained the title of King) has frequently ſent back ſervants of the Company ſlung hand and foot on a bamboo, carried on the ſhoulders of black men, for ſtraying out of the limits of Calcutta. *Tempora mutantur!* There are ſeventeen Rajas of conſequence, and hundreds of no conſequence, in Bengal. Their

Their numbers are no leſs conſiderable on the Malabar and Coromandel coaſts, as well as in Orixa. Do the oppoſing *Directors* intend to erect the hamlets of all theſe Hindoo dignitaries into kingdoms, and to reſtore to independence upon their ſovereign Lord, all the reduced Rajas of Tinivelly, Madura, Travancore, Colaſtry, Marawar, Malcooty, Arrialore, Ramanadeporam, Warriarpollam, Shevagunge, Alienoor, Volgole, Pulnaud, &c. and to treat them with titles of royalty? A noble Lord at preſent ſtyles his *creature*, or rather his *priſoner*, the Raja of Tanjore, KING; and addreſſes him under the appellation of YOUR MAJESTY. Every one of the Rajas above mentioned, as being of the ancient families of their diſtricts, have a better right to appellations of diſtinction than the Zemindar of Tanjore; and, perhaps, if each of them had had as much *wealth* as the Raja of Tanjore, each of them would have found a *candidate for the peerage*, to take him by the hand. While the latter, in his turn, might have found a *leading Director* to patroniſe him, in ſpite of common ſenſe, the law of nations, and the faith of treaties.

2dly, "The Company hold lands by Sunneds of the Raja of Tanjore." This only proves that the Company has been ready to accept lands *on a very bad title*, or on no title. When this Raja attempted to grant lands by Sunned to the Dutch and Danes, and to exerciſe rights of ſovereignty, the Directors of 1766, 1767, and 1769, ordered that he ſhould be *reduced to obedience*. But Directors ſometimes degenerate!

3dly, "Mahomed Ali Chan is not the eldeſt ſon of his father."—This to be ſure is a wonderful diſcovery! Maupheus Chan, his elder brother, lives with him in great harmony at Chepauk. Can it be ignorance that makes ſome Directors at this time of day encourage ſuch a plea as this? If they have not acquired a deeper knowledge of the Muſſulmen or Mogul conſtitution, they ought to read the Alcoran, to learn the law; or the hiſtories of Orme and Dow, to learn the cuſtoms. What poſitive right of inheritance is derived from primogeniture in the Eaſt? Do the eldeſt-born ſucceed once in ten times at Conſtantinople? Have they ſucceeded oftener at Delhi? By what right do the Directors endeavour to extend our laws of ſucceſſion to the Eaſtern princes? If this is not a ſufficient anſwer, we need not expect that the oppoſing Directors will deign to read the *eleventh article* of the

TREATY OF PARIS in regard to Mahomed Ali Chan's rights, for they have ſo trodden that Treaty under foot, that it is no longer *legible by* THEM.

4thly, "The Raja was directed by Phirmaund of the Mogul to pay his "tribute at Delhi, and not to the Soubah." We imagine certain Directors were not aware of conſequences when they directed the uſe of this argument; for it deſtroys their favourite Treaty of 1762, which is a direct contravention of the Mogul's Phirmaund. Beſides, it grants what they wiſh to deny; *viz.* That the Raja is not, nor was a great and independent ſovereign, but an humble tributary, obedient to the Mogul's Phirmaund, as we have all along contended. As for the Phirmaund itſelf, it only proves, that the Soubahdar of the Carnatic at the time was refractory, and did not account for his tributes to the Mogul; no unuſual circumſtance in that empire. This Phirmaund however did not continue long in force, for the Raja of Tanjore's tribute was afterwards either paid, as a dependent Zemindary of the Carnatic by order of the Mogul, or compelled to be paid to the ſubſequent Soubahdars, Ally Dooſt Chan, Subter Ally, and Anwar-ul-Dien Chan the Nabob's father.

If Phirmaunds nevertheleſs have ſo much weight with *ſome* Directors, why was not the ſanction of the Mogul aſked for Mr. Pigot's Treaty of 1762? Why do not the oppoſing Directors give their proper weight to thoſe Phirmaunds of the Mogul which ceded the ſovereignty of the *entire Carnatic* to Mahomed Ali Chan, and his ſucceſſors for ever, in the year 1765; when we obtained Phirmaunds for the Circars and for the Dewanny of Myſore, which laſt involved the Nabob in a ruinous war, in which the Company were principals, though they *compelled* his Highneſs with their *wonted equity* to pay the whole expences. A debt from which he has ſcarcely been able as yet to extricate himſelf.

The attempt made by the oppoſing Directors to ſcreen themſelves under the indefinite anſwer of the Secretary of State, that "he ſaw nothing contrary "to Treaty in the papers laid before him," will prove equally inſufficient to excuſe them to their conſtituents for the dilemma into which they have brought them*.

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* They have forced the Nabob to throw himſelf on the protection of the Britiſh nation, to ſupplicate the Crown to relieve him from the tyranny of the Company, to garriſon his forts, to receive under

The papers laid before the Secretary of State for his conſideration, were *not* a fair ſtate of the caſe. The inſtrument by which Lord Pigot was appointed Governor of Madras, and that by which Mr. Wynch was removed, are moſt curious ſpecimens of arrogance, injuſtice, impolicy, and groſs miſrepreſentation of facts: Papers deſignedly calculated to miſlead the judgment of Adminiſtration. But his Majeſty's miniſters were cautious, and would give no opinion on ſuch authorities. The Secretary of State alone ſaid, that "he ſaw nothing contrary to Treaty." But before certain Directors aſked the authority of his Majeſty's miniſters for what came ſo directly under the national guarantee, they ſhould have laid before them a full recital of every act and tranſaction from the Treaty of 1762, together with all the information they had received, and the facts, they *well knew*, of the Raja's breach of that Treaty, to the date of the reduction of Tanjore. They ſhould have ſtated, "That the year before the peace of Paris, Mr. Pigot, as mediator between the Nabob and Pertaub Sing, Raja of Tanjore, framed a Treaty, by which Pertaub Sing, as tributary to the Nabob, agreed to pay annually four lacks of rupees, and to perform feudal ſervices: That the Nabob was very averſe to this Treaty, becauſe Pertaub Sing, as well as former Rajas, had paid larger tributes to former Soubahdars: That when this Treaty was ſigned, the Nabob had not the *power* of diminiſhing the tribute, or releaſing the Raja from any part of his feudal ſervices to the MOGUL, whoſe Governor, for the time being, the Nabob *then was*; for his Highneſs did not obtain his *independent hereditary rights* till the year after, nor the Mogul's Phirmaund till three years after: That immediately after the ratification of the Treaty, and even before Lord Pigot left the Preſidency, Pertaub Sing en-

under the ſhelter of its power and arms himſelf, his family, his country, his honour. He has been obliged to refuſe to pay to a Company (who oppreſs inſtead of protecting him) the expences of their army; and to requeſt the King and Parliament to reduce them, on account of their flagrant abuſe of power, to the mere ſtate of their original inſtitution, bare traders, without territories, without poſſeſſions, without revenues. What a *falling off* will be there? What will the Proprietors ſay to ſuch a fatal conduct in their Directors? What a ſtab has it given to the Company, in its very vitals? What a ruinous operation will it make in their finances? Yet all this miſchief has been done by the Directors, with one turn of the pen! In the firſt inſtance, thoſe moſt unjuſt and wanton orders have *given away* the 400,000 *l.* ſtipulated to be paid by the Nabob; beſides the neceſſity of refunding to him a ſum of near two millions, for expences incurred by him under the faith of their moſt ſolemn Treaty for reducing Tanjore. To what a wretched ſtate muſt this reduce the Company from their late flouriſhing condition; and all this at a time that their charter is on the point of expiring, without any ſtipulation made with the Nation, now juſtly and univerſally offended at the rapacity, tyranny, and injuſtice of the Company and their ſervants!

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tered into conſpiracies againſt his ſovereign Lord, particularly with Iſouf Cawn, the rebel of Madura, whom he, as well as Tuljagee his ſucceſſor, ſupported, not only with their own troops, but alſo with a body of French whom they entertained in their pay." See Appendix to the State of Facts, No. III. "That Tuljagee, on the death of his father, aſſumed the government, without the concurrence of his feudal ſuperior: That upon every occaſion he manifeſted the utmoſt hatred to the Engliſh and to the Nabob: That he refuſed all his feudal ſervices when called upon to aſſiſt againſt Hyder Ally: That he gave Hyder aid, both in money and proviſions, which enabled him to carry the war even to the gates of Madras: That he withheld his tribute at the ſame time: That, inſtigated by Hyder, he carried fire and ſword into the Nabob's dominions, attacking the Zemindars of the Marawar, Malcooty, and Ramanadeporam diſtricts, and committing the moſt ſavage cruelties, and moſt unprovoked depredations in thoſe countries, notwithſtanding the remonſtrances and threats of the Governor and Council of Madras: That the Court of Directors ſeeing that the peace of the Carnatic could never be ſecure while the different Zemindars and Polygars remained unreduced, gave orders to aſſiſt the Nabob (by their letter 4th March 1767) in the neceſſary work of enforcing their obedience: That theſe orders were ſtrongly reiterated on the 17th of March 1769‡. That in conſequence of theſe repeated orders, all the rebellious Zemindars and Polygars were reduced to obedience, except the Zemindar of Tanjore, who being the moſt powerful, continued his diſobedience the

‡ "It appears moſt unreaſonable to us, that the Raja of Tanjore ſhould take poſſeſſion of the moſt fruitful part of the country, which can alone ſupply our armies with ſubſiſtence, and not contribute to the defence of the Carnatic. We obſerve the Nabob makes very earneſt repreſentations to you on this ſubject in his letter, entered in the book of country correſpondence, wherein he takes notice, that the Zemindars of the Carnatic have been ſupported, and their countries preſerved to them, by the operations of our forces employed in his cauſe; and that nothing was more notorious, than that three former Princes of the Carnatic had received from the Tanjore Raja, 70, 80, nay even 100 lacks of rupees at a time; that to the preceding Nizam he had paid a contribution of 50 lacks, and the preſent, if he had met with ſucceſs againſt our army, would not have been content with leſs than a crore of rupees from this Raja. How juſt does it then appear, that he ſhould be made to bear ſome part of the expence of theſe meaſures, to which he owes his ſecurity and the peace of his country? We therefore *enjoin you* to give the Nabob ſuch ſupport, in his pretenſions on the Raja of Tanjore, as may be effectual: and if the Raja *refuſes* to contribute a juſt proportion to the expence of the war, you are then to purſue ſuch meaſures as the Nabob may think conſiſtent with the juſtice and dignity of his government."

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longeſt, and at laſt entered into ſo many conſpiracies and plots againſt his maſter, that it became a meaſure of ſelf-defence to attack him: That the Governor and Council, in compliance with the poſitive orders of the Court of Directors, particularly thoſe dated the 17th March 1769, prepared an army to attack Tanjore, having firſt ſolemnly debated in Council the conduct of the Raja, and the infraction on the Treaty of 1762, which they pronounce to be *null and void*; firſt, becauſe it extended, and indeed could extend, no farther than the life of Pertaub Sing; and, ſecondly, becauſe (had it extended to Tuljagee) it *ceaſed to bind*, when Tuljagee *drew the ſword and invaded the neighbouring diſtricts of the Carnatic*: That his Majeſty's Miniſter Plenipotentiary not only approved of the war, but offered the aid of his Majeſty's marine forces, to carry it on: That his Majeſty approved the expedition, and wiſhed the Nabob ſucceſs in it: That the Nabob's lenity was ſuch, that he ſpared the Raja, and raiſed the ſiege, on his acknowledging his offences, promiſing to pay up his arrears of tribute, defray the expences of the war, and offend no more: That the army had ſcarcely retired out of ſight of Tanjore, when the Raja entered into freſh conſpiracies, inviting the Marattas, the French, the Dutch, and Hyder, all at the ſame time, to invade the Carnatic: That the Nabob was obliged to buy off the Marattas with a heavy chout, who had actually invaded his country in conſequence of the Raja's invitation: That Mr. Moſtyn, the Company's preſident at Poonah, adviſed the Governor and Council of Madras of the hoſtile intentions of the Raja: That his correſpondence with foreign powers to introduce them into Tanjore, thereby endangering the peace of the Carnatic, and the ſecurity of the Company's poſſeſſions, had been *intercepted*†: That, in conſequence of all theſe intrigues, the ſeveral powers the Raja had ſolicited, had all aſſembled troops for invading the Carnatic; the French at Mauritius, the Dutch at Ceylon and Negapatnam, while Hyder was prepared, and the Marattas, as above mentioned, had actually entered the country. Since the reduction of Pondicherry, the Engliſh intereſt had never been in ſo critical a ſituation in India: That at a criſis ſo alarming, the Nabob had applied to the Governor and Council of Madras, repreſenting the *fatal conſequences* of any further forbearance to his vaſſal, and requeſting the aid of the Company to *diſpoſſeſs the Raja of Tanjore*:

† They ought to have laid the intercepted letters before the Miniſtry, for authentic copies were in the India Houſe.

That upon mature deliberation, it appeared to the Governor and Council, that the Raja of Tanjore had broken through *every article of the Treaty* 1762; and therefore, that they had *unanimouſly* concurred in a vote for undertaking an *immediate expedition againſt Tanjore*, in obedience to the orders of the Court of Directors, for *granting the Nabob ſuch aſſiſtance for the reduction of his tributary, as his Highneſs ſhould deem neceſſary for the dignity of his government*: That the Nabob had done nothing but by *agreement, ſolemnly ratified* by the Governor and Council of Madras, acting under the orders of the Court of Directors: That agreements ſo made and ratified, *under the ſeal of the Company, in council, at* MADRAS, were as valid as agreements under the ſeal of the Company in LEADENHALL STREET: That the Nabob had fulfilled all the articles of agreement on his part, with the utmoſt *punctuality* and *fidelity*: That he had incurred great expences by the expedition, and that the Company had derived great benefits from it: That the repoſe of the Carnatic was *ſecured* by the poſſeſſion of Tanjore, and would be *endangered* by reſtoring it to the Raja, who had forfeited all right to it: That the fate of war had given the Nabob the *abſolute and irrevocable* POSSESSION of it: The then *leading Directors* ſhould have ſtated all theſe matters to the Secretary of State, and they ſhould have furniſhed him with faithful extracts of every thing on their records relative to the independent rights of the Nabob, and copies of all their own contradictory orders, before they ventured to aſk his opinion on the mutilated papers laid before him. Having done none of theſe things, their attempt to *ſurpriſe* adminiſtration into a ſanction of their own breach of the national guarantee, was not only unpardonable, but an inſidious attempt to juſtify their own *predeterminations*, by with-holding the proper lights from the Officer of State, under whoſe authority they meant to ſhelter themſelves. But the anſwer which they got from the Secretary of State, with the *total ſilence* of the other miniſters to whom they applied, will not ſave them from being *reſponſible** for the conſequences in which they have involved their conſtituents, whether thoſe conſequences may ultimately lead to the abſolute loſs of their territorial connections, or the loſs of the

* The Court of Directors cannot plead ignorance on this point, becauſe in their letter of March 23d, 1770, Par. 33d, they thus expreſs themſelves, "We cannot think it prudent, or ourſelves "warranted, again to alarm the inhabitants of India by attempts of this nature, more eſpecially "as perhaps we might thereby involve ourſelves in the very diſagreeable neceſſity of *anſwering at* "*ſome future period for the infraction of a public Treaty, and the conſequences thereof.*"

400,000 l. granted as a free gift to the Company, excluſive of the damages which the Nabob *may recover in the courts of law.*" All theſe things, together with its *never* being the intention of the Court (till the thing was propoſed by Lord Pigot), were ſo well known to ſeveral Directors, and impreſſed ſo ſtrongly on their minds, that they refuſed to ſign the orders.

Whoever attentively peruſes the STATE OF FACTS with its *Appendix* and the *Original Papers* NOW publiſhed, will clearly ſee the antient and uniform ſubjection of the Tanjore diſtrict to the power of the Mogul's empire. But, as ſome men lay great ſtreſs upon the Treaty of 1762, of which they ſay the Company is guarantee, it is worth while to conſider the Nabob's rights by virtue of that Treaty, abſtracted from all others; for, it is to be preſumed, the guarantee of the Treaty extends to both the contracting parties, the Nabob as well as the Raja; unleſs, as the Nabob has well expreſſed himſelf in his letter of the 12th February 1776, to the Court of Directors, they really conſtrue a guarantee to be a "protection to an enemy againſt a friend, and not a protection to a friend againſt his enemy."

By this Treaty it appears, that the Company were bound as guarantee, invited by both parties; "In caſe either party ſhall fail in the performance "of the articles he hath hereby undertaken to perform, or any part there-"of, to aſſiſt the other party to the utmoſt of their power." It appears alſo by this Treaty, that it was not a league between equal powers, but between a feudatory and his maſter; for the Treaty recites, that "by "reaſon of the ſaid troubles (the war with the French), the account of peiſ-"caſh or tribute due to the Mogul *, and payable to the Nabob of the "Carnatic, had not been adjuſted;" and laſtly it appears from the Court of Directors themſelves, as well as from the records of Madras, that the Raja infringed *all* the articles of this Treaty, by repeated acts of hoſtility and open war, which drew a poſitive order from the Court of Directors in 1769, to "give the Nabob ſuch ſupport as might be effectual, and to pur-"ſue ſuch meaſures as the Nabob might think conſiſtent with the juſtice "and dignity of his government."

* The Nabob, as is already mentioned, has ſince acquired theſe rights *in ſovereign perpetuity* for himſelf and his heirs.

In consequence of these premises, the Nabob declared war *regularly* against the Raja of Tanjore, the aggressor; and the Company's army marched under the orders of General Smith, to aid the Nabob or *allies*, by virtue of the guarantee; and "to proceed against the Fort of Tanjore *to* "*reduce it*; and having done so, to put his Highness's son, or any other "person authorized by his Highness for that purpose, in possession of it; "together with the military stores and effects that might be found therein."

Let us now consider the Nabob's rights after a solemn declaration of war.

One of the Directors is a lawyer, he ought to have been acquainted with the law of nature and of nations; or he should at least have paid some attention to the opinion of Mr. Du Pré, who was employed in framing the Treaty of 1762, who understood these laws perfectly, and expressed himself clearly. He writes to the following purport to the Nabob on the 25th of September 1771. "The part I take in these transactions is not as *a Principal*, "it is in support of your government and pretensions, and partly as guarantee "of the Treaty of 1762. In consequence thereof, *whatever shall be taken from* "*the Raja of Tanjore, and that shall fall into my hands, possession, or power,* "*whether forts, countries, money, effects, or military stores whatever, it shall be* "*left at your disposal*, as was done in the case of Alienoor, Worriorpollam, Volgole, and Pulnaud; and in respect to the Raja of Tanjore and his family "and dependants, as your clemency and humanity are well known, I shall "leave them at your disposal; but it is necessary to inform your Excel"lency, that, according to the *usage of war*, the plunder of places taken "by storm, is deemed the right of the captors; such plunder therefore I "have no power over, or right to dispose of."

But if it did not consist with the dignity of the *then* leading Director to consult a servant of the Company, though an able one, he ought to have taken the trouble of perusing the best writers on these laws, before he ventured to involve his constituents in a direct and obstinate breach on the Treaty of 1762. Had he consulted these writers he would have found, "that peace may be broken three ways; 1st, By doing what is contrary to "all peace. 2dly, Contrary to that which is expresly mentioned in "Treaties. 3dly, Contrary to that which is to be understood from the na-

"ture

"ture of every peace." Grot. de Bello et Pace, B. 3. Ch. 20. Sect. 27. Tuljagee broke the peace of 1771, as his father had done the Treaty of 1762, in all these modes.

"If either party *break* the leagues, the other *is freed*, because each article "of the league has the force of a condition." Puffendorf. B. 3. Ch. 8. Grot. B. 2. Ch. 15. Sect. 15. Grot. B. 3. Ch. 8. Sect. 8. Budæus de contraventionibus Fæderum, Ch. 3. Sect. 14.

"There are three ways of securing a man's self from him who injured "him: 1st, By putting him to death; 2dly, By putting it out of his power "to do him any further injury; and lastly, By the severity of his punish"ment, to deter him from offending any more." Grot. B. 2. Ch. 10. Sect. 8. Of these three modes allowed by the law of nature and of nations, the Nabob chose the mildest (Vide the account of the first siege); but he was afterwards compelled to take the second as more effectual. His Highness never put an offender against himself, to death. He delights not in blood, but excels in mercy.

"As many sources as there are of judicial actions, so many causes may "there be of war; for, when the methods of justice cease, war begins. "Most men assign three just causes of war; *Defence*, the *recovery* of what's "our own, and *punishment*. Omnia quæ defendi, repetique et ulcisci fas "est." These three causes were united in the Nabob's war against the Raja of Tanjore, *self-defence*, the *recovery* of the tribute withheld, and *punishment* of this double delinquency. The Roman heralds denounced war against their tributaries, "because they had not given, paid, nor did, what "they ought to have given, paid, and done." Liv. as cited by Grot. B. 1. Ch. 1. Sect. 2.

"The causes of war may be reduced to three heads: 1st, To *defend* our"selves and properties against others who design to do us harm, either by "assaulting our persons, or taking away or ruining our estates: 2d, To "assert our *rights*, when others who are *justly obliged, refuse to pay them to us*; "and lastly, to recover *satisfaction* for damages we have injuriously sustained." Puffend. B. 8. Ch. 6. Sect. 3.

"By

" By the laws of nations, not only he who makes a war for a juſt cauſe, " but every man in a ſolemn war, *acquires the property of what he takes from* " *the enemy, and that without rule or meaſure, ſo that both he and his aſſigns are* " *to be defended in the poſſeſſion of them by all nations.*" Plato de Legibus, Lib. 1. Ariſtotle de Repub. Lib. 1. Cap. 4. Xenoph. de Inſt. Cyr. Lib. 7. Cap. 5. and Grot. B. 3. Ch. 6. Sect. 2.

" By the laws of war, all things are *lawful to the conqueror*; therefore, " the Achæans (Livy) thus addreſs the Roman Senate: How ſhould what has " been acted by the rights of war now come into debate?" Grot. B. 3. Ch. 4. Sect. 3. May not the Nabob venture to ſpeak to the *Court of Directors* what the Achæans were permitted to ſay to the *Senate of Rome?*

" Sovereignty may be acquired by *conqueſt*, either ſo far as it was in the " King or another Governor, and then *all power he had paſſes to the* CON- " QUEROR, and no more." Or as it is in the people, and then the *Conqueror has the ſame right to alienate it* as the people had; and thus *kingdoms become patrimonial.* Grot. B. 3. Ch. 8. Sect. 3.

By what has been ſaid, and by theſe extracts from the Law of Nature and of Nations, which *men* who are diſpoſers of kingdoms, ought to have known, it is clear that the Raja of Tanjore broke the peace and infringed the Treaty of 1762; that he firſt drew the ſword againſt the Nabob; that the Nabob declared war ſolemnly againſt the Raja, and called upon the Company's aid, in virtue of their *guarantee* of the ſaid Treaty; that the Company gave their aid as *auxiliaries*; that the Nabob *conquered* his enemy, and became poſſeſſed of *his perſon, territories, and effects*; that by the *laws of war* he had a right to diſpoſe of all theſe *acquiſitions by conqueſt*; that the guarantees of the Treaty of 1762 had no right to deprive his Highneſs of theſe *acquiſitions by conqueſt*; that the attempt to deprive him of them is an infringement on the Treaty in 1762; that the infringement on this Treaty is alſo an infringement on the national guarantee in the eleventh article of the Treaty of Paris; and, laſtly, that this breach on the national guarantee, unleſs immediately remedied, muſt infringe the friendly connection between his Highneſs and the Company, and involve the Company in all the conſequences of ſuch infraction. What thoſe conſequences may be, will then reſt with the JUSTICE of the KING and PARLIAMENT to determine, agreeable to the Faith of Treaties and the Law of Nations!

THE END.

DEFENCES

OF

GEORGE STRATTON, Esq;

And the MAJORITY of COUNCIL at MADRAS,

IN ANSWER TO

The ACCUSATION brought against them for the supposed Murder of LORD PIGOT.

CONTAINING ALSO

A concise NARRATIVE of the Proceedings of LORD PIGOT, which occasioned his Arrest and Suspension from the Government; stating the Conduct of the different Parties on that Occasion, with their Motives for continuing his Lordship under Restraint; and shewing the Nature of that Restraint.

LIKEWISE

The Separate DEFENCE of Brigadier-General STUART;

For Himself, and for the MILITARY under his Command.

[Extracted from ORIGINAL PAPERS lately published.]

LONDON:
Printed for T. CADELL, in November 1778.

ADVERTISEMENT.

THESE Defences are taken from a Collection of Papers lately publiſhed under the following title: "Original Papers; with an authentic State of the Proofs "and Proceedings before the Coroner's Inqueſt, which "was aſſembled at Madras, upon the Death of Lord "Pigot, on the 11th day of May 1777; likewiſe the "ſubſequent Proofs and Proceedings before the Juſtices at "Madras, with the Opinions of the Judges of the Supreme "Court of Judicature in Bengal. To the whole are ſub-"joined, the Defence of Mr. Stratton, and the other "Members of Council, accuſed by the Verdict of the "Coroner's Inqueſt; and the ſeparate Defence of Briga-"dier-General Stuart, for himſelf and the Military under "his Command, &c. London: Printed for T. Cadell, "in the Strand, 1778."

The Defence of Governor Stratton, &c. is to be found in that Collection, page 201, preceded by this explanatory Note:

"*In the foregoing Collection of Authentic Papers, the* "*proceedings ſubſequent to the death of Lord* Pigot (*under* "*the form of a Coroner's Inqueſt) have been faithfully ex-*"*hibited, with every proof or information that was produced* "*on that occaſion.*

"*The conduct of the Juſtices at* Madras, *in conſequence* "*of theſe proceedings, has in like manner been faithfully* "*ſtated from their records, down to the time when theſe* "*Juſtices, in conformity with the unanimous opinion of the* "*Judges of the Supreme Court of Judicature in* Bengal,

" *declared*, " That the ſaid proceedings were irregular and
" contrary to law, and accordingly reſolved, that the
" whole be quaſhed and laid aſide."

" Previous to this decision of the *Juſtices*, *Mr.* Stratton
" *and the other Gentlemen accuſed, had prepared the follow-*
" *ing* DEFENCES *that were to be given into Court, had they*
" *been put upon their trial, which they had earneſtly requeſted*
" *might take place, that they might have an opportunity of*
" *publicly refuting the charge, upon the ſpot where the tranſ-*
" *actions had happened, and where they could appeal to ſo*
" *many witneſſes of their conduct.*

" *As it is ſo generally known, that the Inqueſt aſſembled*
" *by Mr.* Ram, *after examining many witneſſes, and after*
" *meetings and deliberations during ſeveral months, had*
" *brought in a verdict of* WILFUL MURDER *againſt Mr.*
" Stratton, *and the other Gentlemen accuſed by them; and*
" *as the papers and proceedings publiſhed in the preceding*
" *Collection (in which there has been no mixture of obſerva-*
" *tions or arguments in favour either of the one party or*
" *the other) tend chiefly to ſhow the accuſations that were*
" *brought againſt the perſons to whom that crime was im-*
" *puted, without giving any preciſe or complete view of the*
" *anſwers to theſe accuſations, or of the defences that were*
" *to have been made, if the trial had proceeded, it is pre-*
" *ſumed, that the Public, deſirous of full information, and*
" *diſpoſed to judge with impartiality concerning the conduct*
" *of thoſe to whom ſo heinous a crime has been imputed, will*
" *be well ſatisfied to find, in this Collection, the genuine*
" DEFENCES *of the perſons accuſed, as well as all the infor-*
" *mations, proofs, and endeavours, which were employed for*
" *the purpoſe of criminating them.*"

DEFENCE

OF

George Stratton, Eſq; Governor,

Henry Brooke,
Charles Floyer,
Archdale Palmer,
Francis Fourdan,
and
George Mackay,
} Eſquires, of Council at *Madraſs*,

Accuſed of the wilful Murder of the late Lord *Pigot*.

Gentlemen of the Jury,

TO appear as culprits at the bar of that Court where many of us have often ſat as Judges, added to the anxiety which a public ſcrutiny into our conduct naturally occaſions, and to the apprehenſions which a trial for our lives neceſſarily gives riſe to, would be fully ſufficient to throw ſuch a damp on our minds as may render us incapable of laying our actions before the world in that clear and ſatisfactory manner which we think requiſite to obviate the opprobrium, with which the partiſans of the late Lord Pigot wiſh to cover us. Theſe circumſtances, we ſay, would be ſufficient to deprive us of the power of refuting the baſe and diſingenuous charge againſt us, were we not firm in our own innocence, convinced in ourſelves of the propriety of our conduct, and confident in the impartiality, candour, and juſtice of the Court and Jury.—A ſimple narrative of facts, known to almoſt every perſon here, with a few fair and honeſt arguments, are all we ſhall offer in our defence; but few and ſimple as they are, upon them we reſt our lives and reputations.

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The crime imputed to us is nothing leſs than the premeditated murder of the late Noble Lord: We are charged with having feloniouſly arreſted, and confined him, and by this confinement to have occaſioned his death; but, conſcious that our hearts have been even free from guilt, we have deſired nothing more than a trial of the accuſation by our country, and we are here ready to ſtand or fall by their deciſion. We do not wiſh to give unneceſſary delays, nor to enter into any point in the leaſt foreign to the ſubject of this awful day's enquiry; but though the queſtion to be here determined is, Whether we have wilfully and maliciouſly murdered Lord Pigot, or whether we have not? yet we wiſh to be indulged in an entire liberty, here publicly to vindicate our conduct at large, and to ſet the neceſſity and legality of our meaſures in the juſteſt and faireſt light; for we think it requiſite not only to remove the idea of murder, or perſonal ill-will to the late Noble Lord, but alſo to obviate that of an unneceſſary arreſt and confinement.

The Council, from the great confidence they had in the fidelity, as well as military abilities of Brigadier General, then Colonel Stuart apponted him to the important command of Tanjore. In conſequence of the appointment, the then Commander in Chief laid before the Board a draft of inſtructions to be delivered to him previous to his departure, and Mr. Floyer moved, That his Lordſhip ſhould put the queſtion to take it into conſideration.

Lord Pigot had often declared, That he would never conſent to his proceeding to Tanjore, unleſs Mr. Ruſſel was alſo permitted to go there as Reſident; and although the queſtion had been put, that this Gentleman ſhould go in that capacity, and carried in the negative (as he had been ordered by the Company themſelves on the circuit), yet he abſolutely refuſed to put the queſtion, To take the inſtructions into conſideration.—His Lordſhip being a man of a very warm temper, Mr. Stratton moved to adjourn to the next day, hoping he would reflect on his conduct, and be before then fully ſenſible of the impropriety of it; but the next day produced no change in the arbitrary manner of his proceeding; for he again abſolutely refuſed to put the queſtion, or order it to be put by the Secretary.

There was now no mode left for Mr. Floyer, who had moved it, but to collect the ſentiments of the ſeveral Members of the Board for their coming to a deciſion upon it. This he did, and the majority of the Council approving of the inſtructions, they were entered accord-

accordingly, the Majority having previouſly entered a minute expreſſive of their approbation, which was ſigned by them at the Preſident's deſire.

The obſtinacy of the Preſident, in not conforming to the regulations of the Company, after the many entreaties that were made him, and an evident deſire to concenter in himſelf all the powers of government, induced Mr. Stratton to deſire the ſtanding orders of the Company of the 3d January 1678 to be read; theſe declare that "*Whatever ſhall be agreed on by the Majority ſhall be eſteemed the "order by which each are to act, and accordingly every individual "perſon, even the diſſenters themſelves, are to perform their parts in "the proſecution thereof, and in ſo doing they do their duty.*" He alſo deſired that thoſe of the 9th March 1702 might be read, where it is ſaid, "*We do ſtrictly enjoin that all our affairs be tranſacted in "Council, and ordered and managed as the Majority of the Council "ſhall determine, and not otherwiſe upon any pretence whatſoever.*" He alſo begged leave to have it recorded, that by the late Act of Parliament the Governor General himſelf is obliged, though the firſt ſervant of the Company in India, to conform to the opinions, and to adopt the reſolutions of the Majority of the Council.

Mr. Stratton having thus given Lord Pigot every information that was neceſſary to remove any error in his judgment, Mr. Mackay propoſed, and the Majority were of opinion, that the inſtructions ſhould be written fair, and that a letter ſhould be prepared to order Colonel Harper to deliver up the command of Tanjore to General Stuart: but his Lordſhip, ſtill deaf to remonſtrance, declared he would never put his name to them, and that without his name they were not an act of government.

This ſtrange and pernicious doctrine laid ſuch of us here, as were then of the Council, under the neceſſity of expreſſing our aſtoniſhment at ſuch extraordinary declarations. We were under the neceſſity to deny that the concurrence of the Preſident is requiſite to conſtitute an act of government, and to declare his Lordſhip's conduct unconſtitutional and illegal; we were forced by duty to our Honourable Employers on ſuch an occaſion to aſſert, that the Minority are obliged to aſſiſt in carrying into execution the orders of the Majority, by ſubſcribing to their reſolutions; and that the Preſident is as much bound by thoſe orders, as any other Member of the Board.

Yet leſt he ſhould imagine that we meant to impoſe laws of our own inſtitution upon him, we referred, in ſupport of our aſſertion, to the narrative of Mr. Vanſittart; where it is ſaid (and it certainly was not written to anſwer our purpoſes), "*that the reſolutions of* "*the majority are to be deemed the reſolutions of the Board, and to* "*be ſigned by the whole Board.*" Where it is obſerved, that that Gentleman himſelf, in conformity with the general and eſtabliſhed rule, ſigned inſtructions which he diſapproved, becauſe they met with the approbation of the majority of Council. We thought it alſo neceſſary to declare, we were of opinion, that in caſe of the Preſident's refuſal to put a queſtion propoſed by any Member, it ſhould be the duty of the Secretary to put it; that of every Member of the Council to anſwer it; and that a refuſal to anſwer ſhould be deemed a breach of the Company's ſtanding orders.

In this manner did we endeavour to make his Lordſhip ſenſible of the irregularity of his conduct, and the deſpotiſm of his meaſures; but he ſtill perſevered, and again peremptorily refuſed to ſign either the inſtructions or the letter to Colonel Harper.

In conſequence of this unprecedented obſtinacy, we as the majority were of opinion, that they ſhould be ſigned by the Secretary by order of Council; taking this mode out of delicacy to his Lordſhip, and in purſuance of the moderation we had always obſerved; for we could have obliged both him and the other Members to have ſigned the letter, or have ſuſpended them the ſervice on a refuſal.

An order was accordingly written to that purpoſe to Mr. Secretary Sullivan; and being approved of by the majority, was ſigned by Mr. Stratton and Mr. Brooke; and would have been alſo ſigned by the reſt of the majority, had not Lord Pigot ſnatched it out of Mr. Brooke's hand, as he was reading it to Mr. Floyer.

Becoming thus maſter of the order, he produced a paper (ready written and prepared, to anſwer a haſty and undigeſted, although premeditated purpoſe), charging Mr. Stratton and Mr. Brooke with "*being guilty of an act ſubverſive of the authority of government, and* "*tending to introduce anarchy, in ſigning orders to the Secretary to* "*give inſtructions to Colonel Stuart, which were not approved and* "*paſſed by the Preſident and Council.*" And at the ſame time he recommended, that "*as the charge was of the higheſt nature, thoſe* "*Gentlemen ſhould be ordered to withdraw, that their conduct may* "*be*

"*be taken into conſideration.*" Surpriſed at this motion, Mr. Jourdan moved to adjourn till the next day, and was ſeconded by Mr. Mackay; but inſtead of putting the queſtion of adjournment, according to the conſtant practice, he put that for the ſuſpenſion; and directing the Secretary not to receive the votes of theſe two Gentlemen, he arrogated to himſelf a privilege of judging in a cauſe where he himſelf was the accuſer, contrary to the principles of the conſtitution; and thus by aſſuming a right to himſelf which he denied to them, he reduced the majority to an equality with his party, and carried the ſuſpenſion by his caſting voice, or double vote.

In this violent and extraordinary manner he deprived theſe Gentlemen of their rights, not only as Councillors, but as free-born Britiſh ſubjects; who, by the laws of England, are to be judged by unintereſted and impartial men; and aſſumed to himſelf and his aſſociates thoſe reins of government which the ſtanding orders of the Honourable Company, as well as the late act of parliament, had placed in the hands of the majority, and conſequently in ours.

Yet not content with this, when with the late Sir Robert Fletcher, then Commander in Chief, and a Member of the Board, we aſſerted our rights, and publicly proteſted againſt him and his minority; when we declared that we ſhould hold them reſponſible for all the conſequences that might enſue, and that we conſidered ourſelves as the only legal repreſentatives of the Company; when, we ſay, we had done this, and diſtributed copies of our proteſt, thus aſſerting our rights and the ſtanding orders of our honourable employers; he had the temerity, with the concurrence of his aſſociates, to ſuſpend Meſſrs. Floyer, Palmer, Jourdan, and Mackay; nay, he puſhed his violence to ſuch a degree of outrage, as to order Sir Robert Fletcher into immediate arreſt, and to be brought to a general court-martial, under the pretence of circulating letters tending to excite mutiny and ſedition among the troops in garriſon; although theſe letters were nothing more than the proteſt ſigned by him in his civil capacity of Councillor, and as forming, in conjunction with us, a real and conſtitutional majority of the Council.

Juſtly alarmed for the life of the Commander in Chief, thus ſtruck at by an uſurped authority, as well as for ourſelves, who might have been with equal reaſon treated in the ſame manner; for the peace of the Carnatic, and the commercial intereſts of the Company; for the impartial diſtribution of juſtice, and the public ſafety;

we ſaw the neceſſity of a vigorous and timely exertion of that authority, which ſince the eſtabliſhment of the ſettlement has been veſted in the majority of the Board.

We accordingly held a Council, and upon the moſt mature deliberation agreed, that the fortreſs and garriſon of Fort St. George ought to be in our hands, and under our command, as the legal repreſentatives of the Eaſt-India Company; for otherwiſe we muſt have remained ſilent ſpectators of the free and uncontrouled exerciſe of an uſurped power, deprived of the means of enforcing our orders, or of fulfilling, in the ſlighteſt degree, our duty to the Company, unleſs, by exciting the troops to mutiny, we embrued our hands in the blood of our fellow-citizens, and arrived, by a means ſo ſhocking to humanity, at a re-poſſeſſion of our rights and privileges.

For this purpoſe we empowered General Stuart, on whom, during the indiſpoſition of Sir Robert Fletcher, we conferred the command of the army (as well as of the garriſon of Fort St. George during the then preſent danger), to take ſuch meaſures as he ſhould judge moſt proper to anſwer the end we propoſed; which was, that public tranquillity might be reſtored, and the buſineſs of the Honourable Company carried on in the uſual manner. Uncertain, beſides, to what further exceſs the violence of Lord Pigot (who ſeemed to acknowledge no law but his will) might proceed, we alſo thought proper to order General Stuart to arreſt his perſon, if he thought it neceſſary, to avoid tumult and the effuſion of blood.

General Stuart, having received full information of the grounds on which we had ſeparated ourſelves from Lord Pigot and his aſſociates, knew his duty too well to delay obedience to our orders, and therefore immediately formed the plan of putting this fortreſs into our poſſeſſion, with as little danger and confuſion as poſſible. But to effect this, he looked upon the arreſt of Lord Pigot as an object of the greateſt importance, and accordingly took proper meaſures to arreſt him, even in the fort, had it been requiſite; but we ſhall ever think it a fortunate circumſtance, that he was not driven to that perhaps bloody extremity.

We muſt beg leave to obſerve, that the general order of Lord Pigot and the Gentlemen of the minority to put Sir Robert Fletcher under arreſt, and to order him to be tried by a general court-martial,

tial, having appointed General Stuart to the command of the troops under this Preſidency; the General wrote, in conſequence of the appointment, to Lord Pigot, declaring that he was very imperfectly informed of the ſteps which led to the honour conferred on him; and that not thinking himſelf entitled to a ſeat in Council, as matters were then circumſtanced, he hoped his Lordſhip would allow him to peruſe the conſultations, or other papers paſſed in Council, on occaſion of thoſe unhappy differences, as he wiſhed to act from information, ſo as to do his duty to his honourable employers, with honour to himſelf, and a juſt obſervance to his oath of fidelity to the Company. He alſo ſaid, that he truſted that his Lordſhip would not refuſe him a favour that the practice of the Service had conferred on perſons honoured with the chief command. But Lord Pigot was too conſcious that a peruſal of the conſultations would convince him of the irregularity of his appointment, to comply with the requeſt.

At Council, to which he was ſummoned in the evening, he made this application, and he again urged the propriety of affording him the information he deſired, but to no effect. Great pains were however taken, to obtain a public acknowledgment from him of the authority of that part of the Council which were then aſſembled; a ſtriking proof, that they were themſelves conſcious of the illegality of it. And when the Fort Adjutant had delivered to him, by order of Lord Pigot, the general orders appointing him to the command of the army, his Lordſhip deſired to meet him in the Fort Square; where having had ſome converſation with him apart, he told him, that he conſidered his having received the general orders without objection, as an acknowledgment of the authority by which they were publiſhed; a circumſtance which ſurely diſcovers, that his Lordſhip's private ſentiments were, that the legal government was lodged in other hands than his.

The General, however, not thinking it at that time proper to declare his opinion, contented himſelf with obſerving, that he owed to the Court of Directors his appointment of ſecond in command, and with entreating his Lordſhip to give him the information he deſired, before he ſhould be called upon for any executive act as Commander in Chief. But his Lordſhip, conſcious, as we have ſaid, that a peruſal of the records would ſet his conduct in too unfavourable a light to meet with the approbation or ſupport of the army, either conſtantly eluded the requeſt, or, allowing it to be reaſonable,

 objected

objected to its propriety, as having the appearance of a bargain before he would conſent to do his duty.

Thus, although the General could never bring Lord Pigot to his point, yet his Lordſhip never loſt ſight of his own; and at the laſt Council that he and the minority held at the Fort Houſe, uſed every effort to obtain an avowed acknowledgment of their authority from him by ſome public act, and particularly by his directing, as Commander in Chief, the Adjutant General to publiſh in general orders to the army the reſolution of their Council, whereby Sir Robert Fletcher was put in arreſt, and himſelf appointed to the command.

But perceiving the tendency of this application, and that if he acted in one inſtance only, it would be a tacit acknowledgment of an authority in them which he was firmly perſuaded was placed in the hands of the majority; that acting even in that one inſtance would oblige him to continue to act under their orders, for the ſake of uniformity in his conduct, and force him to ſet the military power in oppoſition to the legal civil government; that he would be obliged to pay an implicit obedience to an uſurped authority, or be treated like Sir Robert Fletcher, and ſubjected like him, ſhould he remonſtrate even in his civil capacity, to an arreſt and trial by a general court-martial; perceiving ſuch conſequences to a compliance with their demand, the General expreſſed the hardſhip of obliging him to take this, or any other ſtep, without communicating to him the ground and reaſon of their proceedings, and added, he conſidered it as a right due to the officer commanding the forces, who from his ſtation was entitled to a ſeat at the Board; but at the ſame time he judged, that they would continue to act in the ſame violent and deſpotic manner that they had already done, and was ſoon confirmed in his opinion; for he was now informed by Mr. Dalrymple, that it was his duty to obey; thereby giving him to underſtand, that though they had called him into Council, they did not mean to afford him further information than may be neceſſary to anſwer their own purpoſes, or turn to their own advantage.

General Stuart, now more than ever convinced of the neceſſity of diſſolving the confederacy, and of arreſting the perſon of Lord Pigot, took, as we have ſaid, the proper meaſures for doing it without noiſe or public diſturbance. For this purpoſe, he ordered Colonel Eidingtoun to arreſt him at ſome diſtance from the Fort, in the name of the Government, and to hand him over to Captain Lyſaght,

who was charged to deliver him with the general orders to Major Horne at the Mount. The orders were punctually executed, and his Lordſhip arreſted without bloodſhed or inſult.

Thus far, Gentlemen, we have acquainted you with theſe circumſtances that led to the arreſt; but we have ſtill to relate our motives for continuing his Lordſhip under reſtraint, as alſo the nature of it, and the treatment he met with at the Mount.

Captain Lyſaght, agreeable to his inſtructions, delivered him over to Major (now Colonel) Horne with the General's orders, which directed him to take his Lordſhip into his charge until he received further orders from us; but at the ſame time deſired that his family and ſervants might be permitted to viſit and attend him; as alſo that they might be treated with every mark of attention and reſpect conſiſtent with the ſituation in which the exigency of affairs made it then neceſſary to place him.

His Lordſhip expreſſed his ſatisfaction, that we had made choice of a gentleman, whom he had long known to be a man of honour, and at whoſe houſe he was confident he ſhould ſuffer no indignity. Colonel Horne aſſured him, in the moſt obliging terms, of every reſpect and attention in his power, and immediately gave orders for the Officer's guard then mounted at his quarters, as well as for all others at the Mount, to pay him the ſame military honours he had received in the Fort; and ſo far was he from wiſhing to treat him with the leaſt indignity, or permitting him to ſuffer the ſlighteſt inconvenience, that he gave up to his Lordſhip the beſt and only good apartment in his houſe. The better to accommodate him, Mrs. Horne and he contented themſelves with a very ſmall room much expoſed to the ſun, and whoſe exceſſive cloſeneſs not only contributed much to weaken her conſtitution, but alſo obliged the Colonel himſelf, for ſix weeks together before Lord Pigot left the Mount, to ſleep in an open veranda amongſt a number of his Lordſhip's black ſervants.

Every part of his Lordſhip's family were requeſted to be with him as much as poſſible; and Mrs. Horne particularly entreated Mrs. Monckton and Miſs Pigot to give his Lordſhip as much of their company as they could. Indeed, ſo very ſenſible were himſelf and his friends of the attention and reſpect paid him, that the ſecond evening after his arrival at the Mount, he appeared eaſy and cheerful,

and walked out in the Plain, to all appearance perfectly reconciled to his ſituation; and would have continued as happy and contented as it is poſſible to be in ſuch circumſtances, had not the imprudence of his friends broke in upon his repoſe.

Mr. Claud Ruſſell had attempted to put the main guard under arms the night of his Lordſhip's arreſt; and ſhortly after the Board received information, that underhand practices were made uſe of to tamper with the troops in garriſon, as well as with the corps of artillery at the Mount. This laid them under a neceſſity of taking proper precautions for the public peace and tranquillity. So near the Fort, Lord Pigot would have had it too eaſily in his power to diſturb that tranquillity, by means of his friends and aſſociates, whoſe paſſions were already raiſed to ſuch a degree of madneſs, that they would have readily adopted and executed the moſt violent meaſures. So near the Fort, every day would have afforded him opportunities of creating freſh diviſions in the ſettlement, of raiſing mutiny and ſedition among the ſoldiery, and of giving birth, perhaps, to all the horrors of a civil war.

We therefore judged it prudent to remove his Lordſhip to a place of greater ſafety; and accordingly ordered Colonel Eidingtoun to conduct him to Chingleput, where we had ſent Major Cook to take the command, and to receive his Lordſhip. This we ordered to be done in the moſt ſecret manner poſſible, to prevent public diſturbances. For the ſame reaſon, and to induce a ready compliance on the part of Lord Pigot, we directed Colonel Horne to inform him, that as the laſt reſource, in caſe of an attempt to reſcue, his life muſt anſwer it. But ſo little regard did he pay to this menace, that he made uſe of the moſt irritating expreſſions towards Colonel Eidingtoun, who had it then in his power to treat him rudely, could he have ſo far forgot what he owed to himſelf as a gentleman; and not content with this, nor with expreſſing himſelf in the moſt indecent and imprudent manner with reſpect to us, he publicly harangued the guard, that was then drawn out to put our orders into execution, and endeavoured, by every argument that could work upon the mind or paſſions of a ſoldier, to ſtir them up to mutiny.

Colonel Eidingtoun and Colonel Horne were both convinced of the daring and intrepid ſpirit of Lord Pigot, by his having even thus ſingly oppoſed the execution of our orders; at the ſame time too

hey were confident, that notwithſtanding our menaces we never neant that the leaſt violence ſhould be offered to his Lordſhip's perſon, and that although ſeemingly poſitive, it was only intended to prevent the raſh attempts of himſelf and his friends. Had Colonel Horne regarded the order in any other light, he would have thought t his indiſpenſable duty to force an immediate obedience to it on the part of Lord Pigot; they therefore agreed not to proceed further until they had freſh inſtructions from the board, upon receiving his Lordſhip's word of honour, not to make any attempt to eſcape, nor to employ his friends or dependants to tamper with the troops, which from the violence ſhewn on every occaſion by his Lordſhip's adherents the Board had reaſon to ſuſpect.

Some of Lord Pigot's friends declaring on this occaſion, that we meant to remove him to Gingeè, uſed every means to excite mutiny among the ſoldiers, yet Colonel Horne, perſuaded of the ſteadineſs of his men, ſhewed them a degree of lenity, that nothing but his own humanity could excuſe; and though he would have been juſtifiable, had he treated them in the ſevereſt manner, he contented himſelf with informing us of the raſhneſs and inefficacy of the attempt.

In conſequence of his letter, we wrote to Lord Pigot, and expreſſed an extreme concern that a notion ſhould have prevailed in his Lordſhip's mind that he was to have been removed to Gingeè. We aſſured him, that no ſuch idea ever did or could have occurred to us; and we took this opportunity to make him an offer of removing to any ſettlement on the coaſt, that he ſhould give a preference to, where there was a Chief and a Council, provided he pledged his word of honour to remain in quietneſs within the bounds of ſuch ſettlement until the Company's pleaſure ſhould be known. We told him, that if he conſented to this propoſal, we would order the beſt houſe in the place to be prepared for him, that every neceſſary ſhould be furniſhed at the Company's expence, and that every reſpect and attention ſhould be paid to his perſon. At the ſame time that we made his Lordſhip this offer, we informed him, that if he ſhould prefer embarking for Europe in one of the Company's ſhips, we would order him every accommodation in our power.

Convinced of the neceſſity of reſtraining his Lordſhip from coming into the Fort, or of removing him to ſuch a diſtance from it as would leave us no apprehenſions for the public ſafety, or the peace

of the Carnatic, it was ſurely a proof of our wiſh to contribute to his ſatisfaction, as much as lay in our power, to give him an opportunity of chuſing his place of reſidence. But his Lordſhip would not pledge his word of honour to remain quiet until the Company's pleaſure ſhould be known, and ſeemed ſo happy in the place of retirement we had already choſen for him, that he would have rather loſt his life (to uſe his own expreſſion) than have exchanged it, except for the Fort, which we could never think of giving up, or the King's ſhip, which we were obliged to refuſe him, as the Commodore Sir Edward Hughes would not in that caſe anſwer for the peace of the Carnatic. As he ſeemed, we found, ſo well pleaſed with the Mount, we reſolved to let him remain there, in the free enjoyment of his family and friends.

We even permitted Colonel Horne to indulge him in the free and unlimited range of the whole country, accompanied by himſelf or the officer of the guard; he amuſed himſelf walking in the neighbourhood of the Mount, or playing at cards, or at billiards; he was cheerful and merry at table, and frequently ſung after ſupper with Miſs Prime, a young Lady of Colonel Horne's family, particularly a ſong he taught her himſelf, and of which he gave her the words.

On ſo confidential a footing was Colonel Horne with Lord Pigot, that he uſed to converſe with him on ſubjects of the moſt intereſting and delicate nature, and his Lordſhip ſeemed ſo well ſatisfied with his behaviour, and that of his family, that he paid a very particular attention to every perſon that compoſed it. Mr. Roſs, Mr. Smith, Mr. Turing, and Mr. Taſwell, with their families, often dined with him, and were witneſſes of his conduct. Mr. Monckton and the Colonel's family were on the moſt cordial terms; they dined and ſupped frequently with his Lordſhip at each other's houſes, and Mrs. Monckton and Miſs Pigot drank tea almoſt conſtantly with the Ladies of his family; moſt evenings his Lordſhip received viſits from near twenty Ladies and Gentlemen, and the Colonel uſually invited every perſon who came to the Mount to ſee Lord Pigot, to dine or ſup with him; he gave ſeveral entertainments on his Lordſhip's account, and always avoided aſking any perſon that might poſſibly have been diſagreeable to him, though there were many of his own particular friends in that predicament.

There was ſo little appearance of Lord Pigot's being any way diſreſpectfully treated, that on the contrary the Mount became the gayeſt

gayeſt place on the coaſt, and on Chriſtmas and Newyear's-day, as well as on Twelfth-night, the balls given by Meſſrs. Monckton, Ruſſel, and Stone, were uncommonly ſplendid; the Board even coincided in this reſpect with their wiſhes, and made Colonel Horne a handſome allowance to defray the extraordinary expences that his Lordſhip's reſidence occaſioned; but theſe being conſiderably leſſened by Lord Pigot's inſiſting on ſhortening the table, conſtantly before provided, whether there was company or not, it became more than ſufficient, and the Colonel not wiſhing to benefit himſelf by his Lordſhip's reſtraint, thought it reaſonable that the ſurplus of that money, which had been granted for his entertainment, ſhould be ſpent in his Lordſhip's amuſement; and accordingly, as he was fond of amuſing himſelf in building, he adopted a plan of his for a bath, and at his inſtance, upon a much more extenſive ſcale than he had intended.—Lord Pigot having drawn this plan himſelf, ſeemed particularly deſirous of having it built; and when it was undertaken he frequently gave as cloſe attention to it as any of the workmen; thus, in an occupation of his own choice, and in putting the garden in order, an amuſement that he alſo much delighted in, did he employ thoſe moments that were not ſpent in the company of his family or friends.

This, Gentlemen, was the nature and degree of the reſtraint we laid Lord Pigot under; we will not attempt to expatiate on it, but leave to your own underſtandings to determine whether it was ſuch as evinced premeditated malice, or perſonal ill-will to his Lordſhip; but it remains to ſhew our reaſons for continuing him under this reſtraint.

The Act of Parliament for eſtabliſhing certain regulations for the better management of the Company's affairs, as well here as in Europe, appoints a Governor General and Council at Calcutta, with a controuling power over all the preſidencies in India.

To this controuling power we addreſſed ourſelves upon the public danger, which impended over this ſettlement, from the conduct of Lord Pigot, and the other Gentlemen of the Minority, who maintained that the executive powers of government were not lodged in a Majority of the Members of the Board, unleſs the Preſident was of the number, and that his perſonal aſſent was abſolutely neceſſary to conſtitute every act of government.

We addreſſed this letter to the Governor-general and Council, with a particular detail of our grievances, the day before the general ſuſpenſion of all the Members of the Majority, and conſequently could not have mentioned the neceſſity we were driven to by that meaſure, to arreſt the perſon of Lord Pigot, but that in a few days his Lordſhip did himſelf.

The anſwer received from that Board was clear and explicit; the intemperate conduct of Lord Pigot in forcibly excluding two of our Members from their ſeats in Council, and the unexampled means by which he had endeavoured to uſurp the power of government, and by attempting to procure a majority in Council by violence, were reprobated and condemned, whilſt our Government was acknowledged, and our meaſures approved.

Could we have had a doubt of the propriety of our conduct, it was now removed by the pointed and unanimous approbation of that very Board, veſted by the Britiſh legiſlature with the moſt extenſive powers ever granted to any ſet of men in India, and whoſe ſupreme controul extends to every inſtance where the intereſt of the Company or the peace and tranquillity of their ſettlements are any way concerned.

Did we need further authority, we had the ſenſe of the Directors themſelves, who, by their General Letter to Bengal of the firſt of February 1776, direct, That the orders of the majority be implicitly obeyed, in the ſame manner to all intents and purpoſes as though they had been authorized and ſigned by all the Members of the Council.

We were not, however, ſo elated with this approbation as to permit the ſlighteſt diſreſpect or inattention towards Lord Pigot; on the contrary, we repeated our injunctions to Colonel Horne, to treat him with every reſpect and attention ſuitable to his rank in ſociety, and to the ſtation he had occupied in the Company's ſervice: we would indeed have gone further, and taken off all reſtraint, had not his own turbulent diſpoſition, and the violence of his friends, put it entirely out of our power.

To ſo great a length was this carried, that even after our government was acknowledged by the Governor-general and Council, he never mentioned Fort St. George by any other appellation than that

that of *his Fort*, nor favoured us with other epithets than thoſe of *traitors*, *villains*, and *uſurpers*.

This however would not have induced us to continue him under reſtraint; we ſhould have regarded it with that degree of contempt which ſuch language merits, and have thought ourſelves culpable in treating it with a ſerious attention, but we were under continual anxiety from the daily attempts of both him and his friends, to ſpread confuſion and diſorders throughout every department of government.

The dangerous conduct purſued by his Lordſhip to obſtruct the courſe of juſtice, and thereby to introduce every ſpecies of violence and diſorder, that could ariſe from the want of thoſe legal reſtraints which are inſtituted for the defence of our lives and properties, naturally alarmed us.

In proof of this we obſerve, That having occaſion to fill up the vacancy of an Alderman in the Mayor's Court, his Lordſhip addreſſed a letter to the Mayor, repreſenting that our government was illegal, and warning him againſt the conſequence of receiving any Alderman of our appointment.

This happened a few days before the time fixed by our charter for electing a new Mayor, previous to which it directs, that all vacancies ſhall be filled up; and had the majority of the Gentlemen who compoſed the Corporation, been ſo far influenced by the letter from his Lordſhip, as to refuſe accepting the Alderman whom we had appointed, the election of a new Mayor could not have been made agreeable to the charter, and the powers of the Court muſt have ceaſed until ſome remedy could have been applied from home.

An attempt of the ſame kind was made by his Lordſhip, to impede the adminiſtration of juſtice in the Criminal Courts, by a letter which he addreſſed to Commodore Sir Edward Hughes, in his public character, and of courſe publicly known in the ſettlement, repreſenting us as perſons not legally qualified to hold Quarter Seſſions, or to adminiſter juſtice in any ſhape whatſoever.

When his Lordſhip ſaw that we were poſſeſſed of the powers of Government, had he been intereſted in the welfare of the Company, or of the Public, inſtead of purſuing a conduct ſo very repugnant to

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it, he would have endeavoured, as much as poſſible, to conciliate the minds of the inhabitants, and to keep even thoſe who were attached to him in proper obedience and ſubmiſſion; for as the Governor-general and Council at Bengal had acknowledged our Government, and declared their reſolution to ſupport it in the ſtrongeſt terms, he muſt have been ſenſible that no effort on his part could meliorate his ſituation, nor anſwer any other purpoſe than to injure and embarraſs the affairs of the Company. Had he been ſingle in theſe attempts to ſubvert the peace and happineſs of the community, we ſhould have had little to apprehend from them; but many of the Company's ſervants and others of the inhabitants were warm in his behalf, and diſtinguiſhed themſelves in oppoſition to our Government. Anonymous papers were circulated and publiſhed in all the out-garriſons and ſubordinate ſettlements, with an intention of exciting mutiny amongſt the troops, and of keeping up that ſpirit of party and oppoſition to our Government, which, had they been faithful ſervants of the Company, they would have wiſhed to extinguiſh.

His Lordſhip hoping for ſupport from the Governor and Council of Bengal, had ſolicited an exertion of their controuling power; but when he found that his conduct had been highly condemned by them as arbitrary and unconſtitutional; when he found that our meaſures were approved of, and our government ſupported, he treated with deriſion and contempt that controuling power, whoſe ſuperintendency he had ſo lately acknowledged, by his ſolicitation to interpoſe their authority in his favour; he even treated the orders of the Company itſelf, communicated to him by the Governor-general and Council, in the ſame indecent and undutiful manner; he ſtill aſſerted his rights to the Preſidency, declaring, that ours was a Government of uſurpation, and that he and the Members we had ſuſpended were the legal repreſentatives of the Company.

Theſe reaſons are ſufficient, we ſhould imagine, to point out the expediency of not taking off the arreſt; but they were ſtrengthened by many others, we had reaſon to believe, which were, that every effort had been uſed to ſow diſaffection in the minds of the Rajah of Tanjore, and of many of the Nabob's collectors and managers, not only to our government, but alſo towards that of his Highneſs, a circumſtance which might have involved the affairs of the coaſt in the greateſt confuſion and diſorder.

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We were poſſeſſed too of intercepted letters and intelligence, from which we underſtood, that a conſtant correſpondence was kept up between him and the Rajah; and that his Lordſhip, by his Dubaſh Moodeè Kiſtnah, and other emiſſaries, was uſing his utmoſt endeavours to make him believe that he was not to pay the leaſt attention to us, but look up to him for ſupport. The Dobbeer, who was the chief officer of the revenue at Tanjore, was diſgraced by his intrigues, and many perſons, diſſaffected to our government, appointed to the management of that department. We had not only intelligence of this, but alſo that a correſpondence ſubſiſted between his Lordſhip and Hyder Ally.

When under reſtraint he purſued ſuch meaſures, what had we not to dread ſhould he be ſet at liberty? His conduct to his Highneſs the Nabob, the friend and ally of the crown of Great Britain, before his arreſt, by diſpoſing of his territories, and threatening to treat him as a priſoner, was diſreſpectful, indecent, and oppreſſive; and the anonymous papers circulated after it, ſtruck at the honour of his family, and tended to alienate their affections from the Company. So early as the 23d of February 1776, he had drawn out a paper, containing the amount of the orders his Highneſs had given upon the Tanjore country, with directions to his Amuldars and other officers to relinquiſh all manner of authority, and to account with ſuch perſons as his Lordſhip ſhall nominate, for all the ſums of money collected from the 9th of that month. This paper his Lordſhip ſent to the Nabob by his two ſons, and Mr. Chambers the Perſian tranſlator, with a meſſage that he would lay it before the Board, and that if his Highneſs did not conſent to whatever it contained, he would put it in execution by force.

This extraordinary paper was written in his Lordſhip's own hand, and contained a formal renunciation from his Highneſs of all rights to the Tanjore country, as well as an entire acquieſcence in every meaſure his Lordſhip might think proper to recommend; it was in every reſpect repugnant to the Nabob's invariable and uniform claims on that country, and his Highneſs expreſſed his ſurpriſe and diſſatisfaction at it in a public letter, the 27th of that month, addreſſed to his Lordſhip and the Council; but this letter he never thought proper to lay before the Board, and we ſhall remark here, that in this, as well as in the other parts of his unconſtitutional and oppreſſive conduct towards the Nabob, his Lordſhip acted entirely without our knowledge or conſent.

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We are ſenſible that this tranſaction, having paſſed long before Lord Pigot's arreſt, we cannot offer it as a reaſon for continuing him under reſtraint; but when we repeat, that we had every reaſon to imagine that he continued his intrigues with the Rajah, even after the condemnation of his conduct by the Governor-general and Council, and as we were informed by his Highneſs the Nabob, that he kept up a conſtant correſpondence with him and Hyder Ally; when we ſay, that in the authority of the Supreme Council, he ſet that of Parliament at defiance; when he ſtill talked of *his Fort*, and treated our Government as an uſurpation, no unprejudiced man, who knew the violence of his diſpoſition, will ſay, that a continuation of the arreſt was unneceſſary; on the contrary, his harangue to the ſoldiers at the Mount, and the efforts he made uſe of to obſtruct the courſe of juſtice, of themſelves point out what he was capable of doing, had he been freed from every reſtraint.

We ſhall here requeſt permiſſion to mention two circumſtances, which have occaſioned much noiſe; the Black Horſe poſted at the Mount, and the conſultation about ſending Lord Pigot to England.

Almoſt immediately after his Lordſhip's arreſt, we applied to the Nabob for a few horſe, to have on all occaſions the moſt ſpeedy intelligence from Colonel Horne; their number was but twelve, and they remained there till the 15th of October, when they were ordered away at his Lordſhip's deſire. Lord Pigot had read our Letter to Colonel Horne, the day they were firſt poſted at the Mount, as had alſo many of his Lordſhip's friends, and ſeen by that, they were ſent there for no other purpoſe; yet it has been induſtriouſly propagated, to poiſon the minds of the Public, that his Lordſhip was guarded by the Nabob's horſe, and he himſelf was diſingenuous enough to write to Sir Edward Hughes, complaining of it; but what is very extraordinary, at the very time Lord Pigot made this charge ſo injurious to the Nabob, who had generouſly pardoned the injuries and inſults he had received from him, his Lordſhip's family lived in the Nabob's houſe, and Mr. Monckton's table was ſupplied with fruits and vegetables from the Nabob's garden; beſides our letters of the 25th of Auguſt and 15th of October are on record, and evidence at the ſame time the falſity of the charge, and the real ſervice they were intended for.

The reaſons given in Conſultation for ſending his Lordſhip to Europe, were the ſame that we have already ſtated, for continuing him

him under arreſt; the attempt of Mr. Ruſſell to put the main-guard under arms, his Lordſhip's harangue to the ſoldiers at the Mount, his efforts to ſtop the common courſe of juſtice, the ſeditious papers he had publiſhed and circulated as well in the Fort as in all the outgarriſons and ſubordinate ſettlements, his contempt of the authority of the Governor-general and Council of Bengal, his continual claims to the Preſidency, notwithſtanding their deciſion, his intrigues with the Rajah of Tanjore, and correſpondence with Hyder Ally, as already ſet forth; theſe, added to our juſt apprehenſions for the intereſts of the Company, the property of individuals, and the peace of the Carnatic, ſhould he take a diſhonourable advantage of the liberty he enjoyed at the Mount, and put himſelf at the head of his adherents, were the reaſons for taking that meaſure into conſideration; but on the other hand, our wiſhes to execute the truſt repoſed in us by the Honourable Company, and to maintain our right to the Government, with the leaſt inconvenience to his Lordſhip, together with the great confidence we had in the fidelity and circumſpection of Colonel Horne, and a thorough recollection of his Lordſhip's former ſervices to the Company, were the grounds of our reſolution not to adopt that meaſure.

Thus far, Gentlemen, we have acquainted you with the cauſes of his Lordſhip's arreſt, the neceſſity of continuing it, and the very reſpectful and attentive manner in which he was treated at the Mount; at preſent it is neceſſary we ſhould lay before you the circumſtances of his Lordſhip's death.

It muſt be in the recollection of almoſt every perſon here, that the month of February laſt was remarkably hot. During this month Lord Pigot moſtly employed himſelf in the garden, where Mr. Monckton lived. He was generally with the gardeners as ſoon as breakfaſt was over, and remained with them until dinner; ſometimes he kept Colonel Horne's family waiting for him until two o'clock, and often, without lying down in the forenoon, returned to them immediately after dinner. The heat of the ſun was ſo intenſe, that the officers accompanying his Lordſhip could not ſtand it, but were frequently obliged to leave him, and take ſhelter within doors. This imprudence occaſioned a bilious complaint, brought on ſomewhat ſooner perhaps by eating remarkably hearty of a turtle at Mr. Monckton's the Sunday before his illneſs; a circumſtance that was taken notice of by ſeveral perſons at table, particularly Dr. Mallet, who foretold that his Lordſhip would have a fit of ſickneſs, if he

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continued to act with ſo little circumſpection. It was the more obſervable, as his Lordſhip was in general an exceeding moderate man, and ſeldom himſelf eat of rich diſhes, though fond of giving directions how to prepare them, and of helping others at table. Miſs Pigot, as well as Mr. Monckton, mentioned their ſurpriſe to Mrs. Horne and Miſs Salmon, at his Lordſhip's having eat ſo heartily, and Miſs Pigot expreſſed ſome apprehenſions leſt it ſhould not agree with him.

On Wedneſday the 5th of March his Lordſhip appeared to be indiſpoſed; he did not however give way to his complaint, but walked about as uſual that day and the next. Colonel Horne perceiving his indiſpoſition recommended his ſending for Doctor Paſley, but this his Lordſhip declined; he imagined his illneſs was too trifling to need the aſſiſtance of a doctor, and preſcribed ſomething for himſelf, which was made up by Mr. Mallet. On Friday his Lordſhip ſeemed to be worſe, yet he ſtill continued to go out as before. Colonel Horne adviſed Mr. Monckton to ſend for Dr. Paſley, but was anſwered, that his Lordſhip thought there was no occaſion. The Town Major was, however, that day to pay a viſit at the Mount, and on his going away, Colonel Horne deſired him to inform Mr. Stratton that night, if poſſible, that Lord Pigot appeared to him very much indiſpoſed, and that he wiſhed Mr. Paſley might be ſent out. The Town Major delivered this meſſage to Mr. Stratton, who immediately ſent for the doctor, and directed him to ſee Lord Pigot, and to take every poſſible care of his Lordſhip.

On Sunday morning early Doctor Paſley went to the Mount, and after he had been ſome time with his Lordſhip, expreſſed his ſurpriſe that he had not been ſent for ſooner. He ſaid his Lordſhip's complaint had been permitted to gain ground; he found him in a very alarming ſtate, his entire ſyſtem being agitated with putrid bile, and accordingly loſt no time in adminiſtering the proper remedies. In proportion as thoſe putrid oppreſſive complaints abated, he became ſenſible of pain and tenderneſs in the region of the liver, and in the right ſhoulder; but repeated evacuations, with refreſhing drinks, and ſome other medicines, reſtored him, in all appearance, to a perfect ſtate of health; yet Doctor Paſley informed him, that all ſuch diſorders as he had laboured under, originated in the liver, and that a certain courſe of medicine, with every precaution in diet and exerciſe, was abſolutely neceſſary to prevent a relapſe, which, he ſaid, may be occaſioned by indigeſtion and diſeaſed ſecretions.

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His Lordſhip, however, could not be perſuaded that they were in any reſpect neceſſary, particularly as his ſpirits were in their uſual tone, and as he had not the leaſt ſenſation of diſeaſe about him. He, indeed, declared in a letter to Sir Edward Hughes, that he was as well as any man in India, and ſo far relied upon the natural excellence of his conſtitution, that he expoſed himſelf again to the exceſſive heats of the ſun, and followed his amuſements and occupations in the garden as before.

But in about a fortnight he became ſenſible how very imprudent he had been in not liſtening to the advice he had received, his appetite failed him, his ſleep grew diſturbed, he became heavy and feveriſh, and the whole ſcene of illneſs was renewed without having ſtrength ſufficient to ſupport a ſecond attack.

Colonel Horne took every precaution, as well in his Lordſhip's firſt illneſs as in this, to prevent his being any way diſturbed. The houſe was kept as ſilent as poſſible, no drums were allowed to beat at mounting guard, or on any other occaſion; centinels were placed to oblige all carriages going paſt to make a large circuit, and thoſe coming to the houſe to ſtop at a certain diſtance: every poſſible care was taken of his Lordſhip, and when his phyſician recommended the ſea-air, we ſo earneſtly deſired the re-eſtabliſhment of his Lordſhip's health, that we cheerfully gave up the Company's Garden-houſe as the moſt likely ſituation to contribute to it. We ſhould indeed have been ſincerely happy in his recovery, for we acted from a principle of duty to the Company, whoſe intereſts he had unhappily loſt ſight of, and not from one of perſonal animoſity to his Lordſhip.

On his quitting the Mount, his Lordſhip ſhook Colonel Horne moſt affectionally by the hand, expreſſed his warmeſt thanks to the ladies of his family, to whom he conſidered himſelf as under the higheſt obligations, and intended to reward the ſoldiers with a ſhirt a-piece for their good behaviour, and the attention they had ſhewn him.

The ſame precautions that were uſed to prevent noiſe or diſturbance at the Mount were alſo taken at the Company's Gardens; no drums were permitted to be beat at practice or otherwiſe on the Iſland, or any where near the houſe, that could in the leaſt diſturb his Lordſhip; no carriages or palanquins were ſuffered to enter the court-

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yard, nor any perſon allowed to go in at any other gate than that next the Fort; centinels were poſted on the St. Thome and Chepauk roads at the particular requeſt of his Lordſhip's ſervants, to prevent noiſe from the paſſengers; and the ſerjeant of the guard was ordered to comply with any deſire that his Lordſhip's friends or ſervants may make for his quiet and repoſe.

In the courſe of three or four days after his Lordſhip removed to the Garden-houſe, he was ſomewhat better; but violent exertions, and expoſing himſelf to cold and fatigue, threw him back, and brought on ſevere ſhiverings, after which he gradually declined until the 11th of May, when he died of a ſlow viſceral fever, partial ſuppurations in the ſubſtance of his liver, and putrid bile.

Having thus related all the circumſtances to the death of Lord Pigot, which we imagined requiſite to prove the rectitude and neceſſity of our meaſures, as alſo the nature and cauſe of his diſorder, we ſhall requeſt the indulgence of the Court to make ſome few obſervations on the whole.

Before Lord Pigot had received an anſwer from the Governor-general and Council to the letter he had written to them, he acknowledged their authority in its utmoſt latitude, yet he denied it as ſoon as they had refuſed to ſupport his meaſures; he denied it ſo ſoon as they had declared that the rights and powers of the Governor and Council of all the Company's preſidencies were veſted by their original conſtitution, in the Majority of the Board, and that the violence of his Lordſhip, in excluding two of the Members of the Council from their ſeats, was a violation of that Conſtitution. He diſallowed their authority, when they declared that the meaſures taken by us to recover the actual Government, which of right was veſted in us, aroſe from the neceſſity of the caſe; and that they ſhould acknowledge and ſupport the title and authority which we conſequently poſſeſſed; but it has been aſſerted in favour of his Lordſhip, that this controuling power in the Governor-general and Council of Bengal does not extend to any other ſettlement, except in caſe of war and peace. If, however, gentlemen would allow themſelves leiſure to peruſe the Act of Parliament, they would perceive that it extends to every inſtance where the Government, Revenues, or Intereſt of the Company is any way concerned. Why elſe ſhould the ſeveral preſidencies of Madras, Bombay, and Bencoolen be directed and required "*to tranſmit conſtantly and diligently*

"*to*

"*to them advice and intelligence of all tranſactions and matters what-*
"*ſoever relative thereto*;" if the legiſlature did not mean to give that Board a power ſo extenſive why eſtabliſh it, "*to prevent the various*
"*abuſes which had prevailed in the government and adminiſtration*
"*of the Company's affairs in India.*"

It has been aſſerted, that no Act of the Majority could be valid, unleſs the Preſident was of the number, yet all ſocieties (ſays Grotius, p. 204) "have this in common to them, that in matters for which "each aſſociation was inſtituted, the whole body, or the major part "in the name of the whole body, oblige all and every the particular "members of the ſociety; for certainly it is to be preſumed that "theſe who enter into a ſociety are willing there ſhould be ſome me-"thod fixed of deciding affairs, but it is altogether unreaſonable that "a greater number ſhould be governed by a leſs; and therefore, "though there were no contracts or laws that regulate the manner "of determining affairs, the majority would naturally have the "authority and right of the whole." This is the law of Nature, Gentlemen, founded in upright and unbiaſſed reaſon, and declared by that excellent author, not for the partial benefit of any particular ſtate, but for the general guidance of mankind.

This we ſhould imagine ſufficient to prove, that all the authority of government was placed in our hands; yet we will further obſerve to you, that by the ſpirit of the laws of England, the ſenſe of the majority in every public aſſembly is final and deciſive; that Lord Pigot thought ſo, is evident, from the outrage he committed to obtain it. The two Houſes of Parliament, the Privy-Council, and all the Courts of judicature, determine by the opinion of the greateſt number of members; and conforming to this principle of the conſtitution, the Company have invariably, ſince their firſt eſtabliſhment in India, directed the members of their ſeveral Councils, to be determined in every point, where there ſhould be a difference of opinion, by the ſentiments of the majority; to attempt to act contrary to this principle in Europe, would be to attempt a ſubverſion of the conſtitution, and to do it here, is to expoſe the Company to a forfeiture of their charter. Yet Lord Pigot was guilty of this, both by refuſing to put a queſtion agreeable to the ſenſe of a majority of the Board, and by ſuſpending ſeven of the members by a junto of four.

It is a maxim in the laws of England, that no man ſhall be either judge or witneſs in any cauſe where he is himſelf plaintiff or defendant; yet in this inſtance too, his Lordſhip acted directly contrary to the laws and conſtitution of his country, and in defiance of both, ſat and voted as a judge in the caſe of Mr. Stratton and Mr. Brooke, where he was himſelf the accuſer.

We, however, ſhowed no other reſentment than to aſſert the rights of the majority, and to proteſt before a notary public, againſt the violent and illegal proceedings of his Lordſhip; but the conſequence of our untimely temperance was, that he and the few members who were influenced by him, ſuſpended four more of the majority. His Lordſhip repeating the ſame illegal act, and ſitting and voting as judge in his own cauſe; Sir Robert Fletcher, the Commander in Chief, another member of the majority, he ordered in arreſt, and to be brought to a general court martial as guilty, in ſigning the proteſt, of mutiny and ſedition. In a milder government than his Lordſhip's, a man was hung by military authority, for a leſs offence, without a trial; what then had the Commander in Chief to apprehend under the government of a perſon of Lord Pigot's violent and deſpotic diſpoſition, who was at that time, as Governor of the fort, veſted with ſimilar powers.

We were all in the ſame predicament with Sir Robert Fletcher; and if aſſerting the rights of the majority of Council, by proteſting againſt Lord Pigot and his aſſociates, was cauſing mutiny and ſedition; we were all involved in the ſame guilt with him, conſequently all liable to the ſame puniſhment, and therefore reduced to the neceſſity of exerting the common rights of mankind, by putting our lives in ſafety at the expence of his Lordſhip's liberty.

It is however aſſerted, that his Lordſhip's arreſt was contrary to law; but we beg leave to combat this aſſertion, and to rely upon it, that it was not only lawful but neceſſary. His Lordſhip was arreſted more in his military capacity of Governor of the fort, than in his civil one as Preſident of the Council; as a civil ſervant of the Company, we had but little reaſon to be apprehenſive; it was his military authority, as commander of the troops in garriſon, that rendered him dangerous, and his arreſt conſequently lawful; for if there was no power in the majority of the Council, to check the ambition of a military governor of the fort, and to impriſon him,

neceſſary, he may forget both his duty to the Company, and his legiance to the King, and uſurp an authority independent of either; eſides, we muſt obſerve, that it is laid down by the author of the rinciples of Penal Law, "*That every wanton, cauſeleſs, or unneceſſary exertion of authority, is unjuſtifiable and tyrannical.*" If nen a wanton exertion of lawful authority (for he means no other) e tyrannical, what term ſhall we give to the wanton exertion of an iſurped authority, and what means to oppoſe it can be deemed unuſtifiable. Every Britiſh ſubject, in the leaſt acquainted with the iſtory of his country, knows, that it is the ſpirit of the conlitution to reſiſt and overſet uſurpation, and that the laws allow very individual to exerciſe, in that caſe, an authority which they beore denied him; many proofs of this have been felt by our very kings, and ſhould we, in whoſe hands the real powers of government here were placed, have let it paſs unnoticed in Lord Pigot.

The Gentlemen who have thought proper to inſtitute this proſecution againſt us, have quoted Mr. De Lolme's Treatiſe on the Conſtitution of England, to endeavour to prove the arreſt of Lord Pigot illegal; and we ſhall from the ſame book, and the ſame chapter, endeavour to demonſtrate, that it was juſtifiable and agreeable to a principle inherent in the conſtitution, we mean that of reſiſtance. In the twenty-firſt chapter then of this book, he ſays, that all the prerogatives of the people, taken in themſelves, are but weak arms to oppoſe the real force of thoſe who govern; all theſe precautions that our anceſtors have taken, all thoſe reciprocal rights they have eſtabliſhed, ſuppoſe every thing to remain in that legal conſtitutional ſituation where they had placed them; but ſhould the prince ſuddenly free himſelf from every controul, ſhould he ſet himſelf above the conſtitution, in what lies the reſource of the people? He tells you, that it lies in reſiſtance, which the laws of England have decided to be lawful and final, againſt the violence of power; it was this reſiſtance that gave birth to Magna Charta, the baſis of our liberty, and at forty different periods procured its confirmation. It was to this reſiſtance King William owed his crown, and to it alſo are the preſent royal family indebted for their elevation to the throne. This right of reſiſtance and of oppoſition to violence, under whatever form it appears, and from whatſoever quarter it proceeds, is ſo well known, ſo univerſally acknowledged, that even the courts of juſtice themſelves have been guided by it in their deciſions; witneſs the caſe of the Conſtable, which theſe Gentlemen have quoted in their proteſt, and by that, not only acknowledged but proved the

exiſtence of the principle we contend for. The conſtitutional right of reſiſtance being then eſtabliſhed without a poſſibility of doubt, we ſay, that the law muſt have eſtabliſhed modes to give it action, or have left it to the diſcretion of thoſe who are oppreſſed. But, as our laws know no oppoſition, ſo they preſcribe no particular mode of reſiſtance,—violence and oppreſſion overleap the bounds of conſtitutional power, and muſt be met on their own ground, and fought with their own weapons. Yet we humbly conceive, we have not only not exceeded in any one act, the diſcretionary power that both law and nature placed in our hands, but uſed a degree of lenity and mildneſs to Lord Pigot, that his conduct towards us gave him very little reaſon to expect, or indeed to hope for.

The proper adminſtration of the Company's affairs, the rights of the Council, and our perſonal ſafety, demanded our putting his Lordſhip under arreſt; in a caſe of ſuch extreme neceſſity, we were warranted to do it as individuals, and by a much ſtronger reaſon, when we united our judicial and political authorities, and acted in a public capacity.

It has been complained of, that his Lordſhip was arreſted on the high road; but will any perſon attempt to aſſert, that it would have been more prudent to arreſt him in the fort, and have by that means given an inlet to riot and bloodſhed. We have been accuſed too of impropriety, in calling the military to our aid, though that was our only means to prevent confuſion and public diſturbance. General Stuart is involved in the ſame charge with us, for having obeyed the civil power; as are alſo Colonel Eidingtoun, Colonel Horne, and Captain Lyſaght, for having obeyed their commanding officer; but the Gentlemen who have ſhewn ſo much ingenuity in compoſing the Informations, and framing the accuſation againſt us, do not ſeem to have been acquainted with theſe articles of war, which have been eſtabliſhed by parliament for the regulation of the army, nor to have formed any perfect idea of the nature of the military diſcipline.

By the articles of war, General Stuart was obliged to act as well in obedience to the orders of the then Commander in Chief, as in aid and ſupport of the civil power; and the other Gentlemen, under a neceſſity of paying him an implicit obedience; for were it permitted to them, to diſpute the propriety or legality of the orders of their ſuperior officer, the officers and ſoldiers under them, even to

very drummers, would have the ſame right; and how far ſuch a miſſion would be ſubverſive of all military diſcipline and autho-, is too obvious to need a comment.

Infinite pains have been taken to prove a reciprocal influence be-een the mental and corporeal faculties. It has been laid down as axim in the animal œconomy, that if any ſubject of a dangerous ture takes poſſeſſion of the mind, it may in ſome degree obſtruct functions of the body; and having eſtabliſhed this hypotheſis it s been concluded, that as we deprived Lord Pigot of the govern-ent, kept him under arreſt, attempted to ſend him to Chingleput, d had it under conſideration to ſend him to England, that we ve riſe to diſagreeable ſenſations, which, they ſay, produced the ſorder in his Lordſhip's liver, and the putrid bile of which he ed. But we beg leave to obſerve, that from the moment of his reſt, to the turtle-feaſt at Mr. Monckton's, his Lordſhip enjoyed a erfect ſtate of health; that his diſorders were peculiar to this cli-ate, and are generally occaſioned by indigeſtions, or by frequently eing too much expoſed to the exceſſive heat of the ſun. We ſhall lſo remark to you, that, previous to his Lordſhip's illneſs, and for ome time after, Farenheit's thermometer was at 95, 96, and 97 de-rees in the ſhade.

Were it permitted us to recriminate, we would ſay, that the friends of Lord Pigot, who think proper to charge his death upon us, were, with a greater degree of probability, guilty of it themſelves, if, as they inſinuate, the affections of the mind have ſometimes a mortal influence on the body; for we aſſert, that they never left his mind at eaſe, but kept him in continual alarms of ſchemes to tear him from Colonel Horne, which he looked upon as his aſylum, of bodies of cavalry, and battalions of ſepoys, conſtantly in motion; of plans to ſeize upon his perſon, to bind him with ropes and ſend him to Gingeè, or on board ſhip, in the moſt ignominious manner: in ſhort, we aſſert, that they took ſuch pains to teaze and torment him with informations of violence and unworthy meaſures, which never had exiſtence but in the great fertility of their own imaginations, that one would be led to think they wiſhed to ſacrifice his life to have the ſattsfaction of accuſing us of his murder.

A charge of homicide has not been thought ſufficient, and we are accordingly indicted for wilful and malicious murder; but we are at a loſs to conceive what the proof of our felonious intention, or pre-

meditated malice, can poſſibly be. Lord Pigot had the range of the whole country, was treated with every mark of attention and reſpect, had every military honour paid him, and enjoyed every convenience that the houſe he preferred to all others in India could afford. Theſe, we humbly apprehend, are not proofs of a malevolent diſpoſition. Had we had any intention to take away his Lordſhip's life, could fortune have thrown a more favourable opportunity in our way than when he reſiſted our orders to remove him to Chingleput? Were we capable of entertaining ſo horrid an idea, we might have executed it then, and ſheltered ourſelves under the law; for we will remark to you, that we were not only Members of the Government, but alſo Juſtices of the Peace, and our lenity on that occaſion, ſurely demonſtrates, that we choſe rather to let paſs with impunity a reſiſtance to our orders on the part of Lord Pigot, and a diſobedience on that of Colonel Horne and Colonel Eidingtoun, than that his Lordſhip ſhould ſuffer the leaſt perſonal violence; and what can more evince at leaſt the ſame degree of attention and reſpect in theſe gentlemen, than their riſking, upon a mere ſurmiſe of our intention, both their commiſſions and their lives on this occaſion, by diſobedience to a poſitive order from their ſuperiors in his Lordſhip's favour, notwithſtanding an evident attempt to reſcue him?

But ſuppoſing the mind and body to have their reciprocal influence on each other, and that the loſs of the Government, the arreſt, his Lordſhip's reſtraint from entering the Fort, his diſappointment in the deciſion of the Governor-general and Council of Bengal, and what, perhaps, occaſioned more diſagreeable ſenſations than all the others, his ſeeing us in power: ſuppoſing all this to be true, yet we humbly ſubmit it to you, that as no marks of violence appeared upon the inſpection of his body, we are not guilty in the eye of the law of either murder or manſlaughter; and that this is law, we beg leave to refer you to the firſt volume of Lord Chief Juſtice Hale's Hiſtory of the Pleas of the Crown, where he ſays, in page 429, "If a man, either by working upon the fancy of another, or poſſibly "by harſh or unkind uſage, put him into ſuch a paſſion of grief or "fear, that he either dies ſuddenly, or contracts ſome diſeaſe of "which he dies, although it may be murder or manſlaughter in the "ſight of God, yet, in a human judicature, it cannot come under "the judgment of felony, becauſe no external act of violence was "offered, of which the common law can take notice:" and thus, Gentlemen, not guilty of murder or manſlaughter in the ſight of man, we are firmly perſuaded that we have not erred againſt any precept

precept of the divine law, or any principle of morality. Lord Pigot fell a victim to his own imprudence, and informed Dr. Anderſon, in his laſt illneſs, that he thought he could tell the day that gave riſe to his diſorder, nay, the very hour; that he had been that day at work in the garden till very late, had expoſed himſelf to the exceſſive heat of the ſun, and returning to Mr. Monckton's in a violent perſpiration, had taken a large draught of cold punch; to this Lord Pigot imputed his diſorder, and not to us. Thus then acquitted by himſelf, and upon his death-bed, has not the preſent charge againſt us more the air of premeditated malice, than any we ever diſcovered againſt him?

To form axioms founded on conjecture, and to deduce unfair and diſingenuous conſequences from them, in order to cover us with an opprobrium of the moſt horrid nature, has it not the appearance of a more felonious intention to ſtrike at our lives than we ever ſhewed to attempt that of Lord Pigot? we humbly ſubmit it to you, that it demonſtrates a premeditated, malicious, and felonious intention to murder us in the baſeſt manner, that is, under the colour of juſtice. Were Lord Pigot really murdered, his memory is free from the imputation of ſuch an atrocious crime; but his friends, who wiſh thus to ſacrifice us to his manes, diſcover, upon this occaſion, a manifeſt deſire, not only to commit, with impunity, the very crime they charge us with, but at the ſame time betray an inclination to throw a ſhade of infamy on our graves.

We ſhall here conclude, Gentlemen, and we are ſorry to have taken up ſo much of your time, but we thought it neceſſary to lay before you the circumſtances that gave riſe to the arreſt of Lord Pigot, with our reaſons for continuing it; and we ſhall here remind you, that his Lordſhip's outrage in ſuſpending Meſſrs. Stratton and Brooke, was the cauſe only of our public proteſt; but his conduct towards the Commander in Chief, in ordering him to be tried by martial law for complaining with us in his civil capacity of the violation of the rights of the Council, his expulſion of the entire majority of the Board, our perſonal ſafety, his repeated acts of deſpotiſm, his impoſing a renunciation on his Highneſs of all his claims to the Tanjore country, and threatening to put it in execution whether he conſented or not; his perſonal inſult to the Ally of the Crown of Great Britain, his declaration to treat him as a priſoner and to place a guard of Europeans at his houſe: theſe circumſtances, ſo repugnant to the true intereſt of the Company, and to the faith and honour

nour of the nation, muſt naturally point out the impropriety of leaving the powers of Government in the hands of a man who could be controuled neither by principles of juſtice nor of decency, who was capable of the greateſt acts of violence, and who neither conſulted the peace of the Carnatic, nor the welfare of his honourable employers; and we truſt that there is no unprejudiced man who hears us, that is not convinced within his own breaſt of the neceſſity of the arreſt; and at the ſame time, that we are not only free from having in the leaſt contributed to haſten his Lordſhip's death, but that in conſideration of the great ſervices he rendered the Company during the laſt war, our conduct towards him was as mild and gentle as the convulſive ſituation of affairs would admit of: and we here cannot but deplore the cruel neceſſity his Lordſhip's pretended friends have impoſed upon us by this ſhameful proſecution, to diſcuſs thus freely his public and political character. Though he was our enemy and oppreſſor, our reſentment does not follow him to the tomb; and we ſhould be much better pleaſed if this trial gave us an opportunity of dwelling on his virtues than his faults.

☞ This Defence of General STUART is to be found in page 231 of the Collection referred to in the title-page, preceded by this explanatory Note.

"*It appears by Brigadier-General* Stuart's *Petition to the Juſtices, dated 19th* November 1777 (Page 188 of the preceding Collection), *that he conſidered himſelf, and the Officers who acted by his Order, in a different Predicament from the Gentlemen of the Council. He therefore thought it neceſſary to make a* SEPARATE DEFENCE *for himſelf and thoſe Officers; which after he had drawn up and ſigned, he was prevented from giving in, by the Proceedings of the Inqueſt being quaſhed. The following is a Copy of that Defence, the Original of which, ſigned by Brigadier-General* Stuart *at* Madras, *is in the Hands of the Printer.*"

DEFENCE

OF

Brigadier-General JAMES STUART, *for himſelf and for the Military under his Command.*

Gentlemen of the Jury,

TO my utter aſtoniſhment, I appear before you, charged, in the firſt inſtance, by a number of men (whoſe names are to the paper ‡ now in my hand) with the moſt heinous and atrocious crime that human nature is capable of, viz. the concerted, predetermined, malicious, and intentional act of murder, for ſuch I conceive to be the meaning of the words *Wilful Murder*; of which greateſt of all crimes thoſe perſons have taken upon themſelves to charge me, and the other Gentlemen of the army there mentioned; who with myſelf,

‡ The Inqueſt.

in reſpect to the act of arreſting the late Lord Pigot, did no more than our duty, in obedience to the orders of our ſuperiors both civil and military, according to every eſtabliſhed idea of legal government within this Preſidency, and according to the words and ſpirit of our reſpective commiſſions, and to the rules and diſcipline of war, the whole comprehended under our ſolemn oath of fidelity to the Honourable Company.

I therefore ſay, for myſelf, and if I am allowed to make the defence of all the army who acted by my orders, I likewiſe add for them, that neither I nor they, together or ſeparately, are Guilty of the crime charged, viz. the *Wilful Murder* of the late Lord Pigot.

I produce the original order by which I acted, and by virtue of which I gave orders to all the military thus under my command. It is in the hand-writing of one of the Gentlemen whoſe names are to the paper; they are in number ſeven; and I know moſt certainly, that they formed a *majority* of the whole Council. This paper I ſaw wrote and ſigned, and received it in perſon from the Gentlemen.

Sir Robert Fletcher, whoſe name is to this paper, was at the time Commander in Chief of the Army; whoſe ſeparate order to me, according to the rules and diſcipline of war, as my ſuperior, in the very terms of my commiſſion herewith produced, would of itſelf have been binding and obligatory on me; and he the Commander in Chief being himſelf of Council, together with the other Gentlemen all of Council (therefore the only perſons reſponſible), he or they were at liberty to give or to refuſe me any explanation of their orders, according as they thought proper. My duty was to obey him (Sir Robert Fletcher) the Commander in Chief, according to the expreſs words of my commiſſion; and I thought it, if poſſible, more my duty to obey the joint orders of a *clear majority* of Council.

I ſay, that the majority who gave me powers and orders were at liberty to decline entering into the particular motives of their conduct, if they had ſo choſen. But they did not refuſe me any information; and they thought proper to publiſh to the army, as well as to the whole ſettlement, the reaſons of their receſſion; as appears by the papers on record, and particularly by the circulation of the letter by a Notary Public. This was a ſort of appeal to the unbi-

biaſſed judgment of the Settlement, as to what was or was not the gal government, or conſtitutional mode of managing the affairs il, military, political and commercial of the Honourable Comny, within the limits of this Preſidency.

As for my own part, without heſitation, I then believed, and en now, after all that has paſſed, I remain ſtill of that belief, that ie acts of the *majority* of Council are alone binding in civil, mili-ry, political, and commercial affairs; and that whatever orders ey iſſue to me, either as a majority of Council, directed to me in articular, or to the Commander in Chief, for him to communicate o me; or from the Commander in Chief of himſelf to me, as my uperior officer; I was then, by every reaſon of duty, and by my ath of fidelity, and by virtue of my commiſſion, as a military ſubordinate officer, bound to obey; the reſponſibility as well as the truſt being with him, and them, the majority of Council, the execution of their orders alone left with me. I obeyed accordingly, and in the manner ſet forth in my narrative upon record; which, though compoſed in haſte, is in every eſſential part exact.

The mode in which I executed the orders and inſtructions of the majority, did afterwards meet with their approbation, as appears from all the ſubſequent publications on their part, where that matter is touched upon.

And here I cannot help expreſſing my aſtoniſhment, that this heavy charge of *Wilful Murder* ſhould be brought againſt me, who in the manner of arreſting the late Lord Pigot, the evening of the 24th of Auguſt, ſhewed ſuch particular attention to prevent the ſmalleſt chance of any danger to his own perſon, or to that of any of his friends. The *management* on that occaſion (if it may be called ſo) aroſe from humanity and tenderneſs; otherwiſe there needed none: the whole was prepared, and at my orders. That *management* has been branded with every odious and infamous epithet, and *falſe aſſertions* have been made, to give colour to the ſcandal.—This digreſſion I hope you will excuſe on my part, who on this occaſion feel my honour equally as my life attacked; both which, however, I am at all times prepared to defend as becometh. I ſhall only add here, in regard to the act itſelf (without the review of ſubſequent occurrences), that after cool recollection of all circumſtances that preceded, accompanied, and immediately followed the arreſt of the late Lord Pigot, I now feel the greateſt ſatisfaction for

the

the part I took as the inſtrument of Government; and I almoſt defy the mind of man to have deviſed any other way, in ſimilar circumſtances, to have effected it without danger of bloodſhed.

And here, notwithſtanding the epithets given to theſe proceedings, I appeal to the memory of every man here living, and to the annals of hiſtory, to ſhew a ſimilar inſtance of regularity and good order; for after the act of arreſting Lord Pigot, to the minute of reſigning the government into the hands of Mr. Whitehill, there has not been any act of violence; and no man, ſo far as I know, has been impriſoned, or injured in his perſon or property, on account of irregularity.

This is demonſtration, that there was neither anarchy nor confuſion in the ſettlement (as has been falſely reported), and that the minds of men were prepared for the event, and ſatisfied with the neceſſity of the meaſure. It furniſhes, moreover, the cleareſt proofs of the good diſcipline of the army, who, from the neceſſity of the caſe, were the inſtruments in the hands of the then Government to aſſert the rights of the *majority of Council.*

To return to my defence againſt this heavy charge: After ſhewing you the orders and inſtructions by which I, as a military ſubordinate officer, then acted, and that part of my ſeparate commiſſion as Colonel, according to which I took the oath of fidelity to the Honourable Company; I ſhall now endeavour to ſhew, that the words *Governor* and *Council*, inſerted in the body of that commiſſion, can only mean the *majority of Council*; and I venture to ſay, that no man who did not delight in quibble, rather than plain ſenſe, or plain inference, ever yet doubted the truth of this propoſition.

Here, however, I beg leave to obſerve, that in reſpect to myſelf, and to the officers or others of the army who obeyed my orders on the occaſion, the proving that the *majority* really has the powers of the Governor and Council, in ſpite of the Governor himſelf; I ſay, that as to the military ſubordinate officers, this proof is not neceſſary, becauſe in our commiſſions, after the words "*And you are at all times to obſerve and follow all ſuch orders and directions as you ſhall receive from us, our Preſident and Council aforeſaid,*" follow theſe clear words, "*or any other your ſuperior Officer, according to the rules and diſcipline of war*, &c." Which laſt words ſhew to demonſtration the nature of the ſubordinate military ſervice; which

indeed could not poſſibly be carried on for the good of the community, if nice points of political government, or reaſons of ſtate, or the *conſtructive ſenſe of words*, were to be left to the private opinions or deciſions of military officers before they executed the orders of their ſuperiors. Nevertheleſs, I now proceed to ſhew, that the words *Preſident* and *Council*, in the body of my commiſſion, can only mean the *Majority of Council*; becauſe, beyond the power of doubt or of quibble, the following are the expreſs, clear, unrepealed, ſtanding orders of the Honourable Company:

Standing Orders, dated January 1678, Paragraph 54th.

"*Whatever ſhall be agreed on by the majority, ſhall be eſteemed the order by which each one is to act; and accordingly every individual perſon, even the diſſenters themſelves, are to perform their parts in the proſecution thereof; and in ſo doing they do their duty, and muſt not be blamed for the event.*"

Inſtructions to Mr. Pitt, dated 9th March 1702.

"*We do ſtrictly enjoin, that all our affairs be tranſacted in Council, and ordered and managed as the Majority of the Council ſhall determine, and not otherwiſe, upon any pretence whatever.*"

Becauſe in the body of the Commiſſion of Government, and particularly where the word *Soldiers* occurs, it is ſaid,

"*And we do hereby give and grant unto our ſaid Preſident and Governor George Lord Pigot, and to our Council aforenamed*, or the major part of them, *&c. full power and authority from time to time to rule and govern all and every our Factors and Servants under the ſaid Preſidency, and* all the Soldiers, &c."

Becauſe, in the Commiſſion of Lord Pigot as Governor, it is ſaid,

"*That he, as ſuch, is ſubject nevertheleſs to all ſuch rules, orders, and inſtructions, as have heretofore been given to the Preſident and Council of Fort St. George aforeſaid.*"

Beſides, in the inſtructions 1774, the Governor and Council have expreſsly the power to ſuperſede, alter, or annul any ſpecific act either of the Governor or the Commander in Chief.

Inſtruc-

Inſtructions *per* Aſhburnham, 1774, Paragraph 51.

" *That if the Governor-general and Council ſhall at any time think* " *proper to iſſue orders under their hands, or by their Secretary, to any* " *officer in the army, and thereby to ſuſpend or ſuperſede the ſpecific* " *commands of the Governor-general, or military Commander in Chief,* " *ſuch orders ſhall be implicitly obeyed.*"

Can we then, without the greateſt abuſe of common ſenſe, deny, that the *Majority of Council* is alone meant by the words *Governor and Council?*

After eſtabliſhing the above clear propoſitions, to ſhew what is the Government, need I add any arguments drawn from the abſurdity of allowing a power to the Preſident, ſuch as is contended for by the Gentlemen of that ſide, viz. That the perſonal conſent of the Preſident is eſſentially neceſſary in every act of government: That no other can propoſe or agitate any queſtions in the firſt inſtance: That he alone can adjourn or ſummons any meeting of Council; and other excluſive prerogatives, which amount to a Poliſh *veto*, upon every public or private queſtion before the Board, and which, in fact, would reduce the Council to a ſet of inſignificant puppets.

But in truth, neither according to the tenets held by the late Government, when they ſeparated from Lord Pigot and his aſſociates; nor, as I am informed, according to the expreſs orders of the Eaſt-India Company, after the fulleſt information of all the late diſputes, and received by the Swallow in Auguſt laſt, *though not yet publiſhed*, does ſuch excluſive power lodge in the Preſident here: on the contrary, excepting the *caſting vote* upon an equality, no other power is lodged with the Preſident, than is inherent in every other Member of Council.

As to the objection which I hear is *now* ſtarted in regard to the *want* of *form* in not meeting in the Fort Square, in not inſerting the word *Preſident*, or in not giving *regular ſummons* by the Secretary, previous to the orders and inſtructions delivered to me, by the ſeven Members of Council, on the 23d of Auguſt, 1776, I can only ſay, that in that criſis I, and I ſuppoſe alſo thoſe members, looked to *ſubſtance* and not to *form*.

They

They muſt have known perfectly well, that ſo long as Lord Pigot was in the Fort, as Governor and Commander in Chief, he would not obey any bit of paper from the civil power in the uſual forms of law; alſo, that in regard to perſonal ſecurity or prudence, it would not have been proper for the majority of Council to have attempted meeting in the Council Chamber in Fort Square. They knew moreover, that the Secretaries were not to be found at the time, and the ſecrecy of the meaſure might make it neceſſary, that a member of the majority, at ſuch a criſis, ſhould himſelf officiate as Secretary (as was the caſe), thereby, in my opinion, authenticating more fully their reſolutions; beſides, common ſenſe pointed out, that the act of a notary-public anſwered fully every public purpoſe of promulgating the orders of government; and the omiſſion of the word *Preſident*, which the majority might have inſerted if they pleaſed, ſeemed to me a mark of their candour. All theſe reaſons, and as looking to the ſubſtance, and the material parts of buſineſs at that criſis of affairs the 23d and 24th of Auguſt, made me conclude, and I dare ſay, it had the ſame effect upon all who acknowledged the late Government, that in their public manifeſtos, or orders, if they did not follow every immaterial punctilio, ſuch as a regular ſummons through a Secretary, regular meetings in the Fort Square, or the inſertion of the word *Preſident*, it was owing either to neceſſity, or that they did not conſider it as eſſential.

Will any man of common candour, laying his hand on his heart, after allowing that the majority of Council is the legal government, either with or without the Preſident, ſay, that the omiſſion of theſe formal and not eſſential things and words; I ſay, will any honeſt man think or ſay, that by ſuch omiſſion, the acts of a *Majority*, or of thoſe who obeyed their orders, are thereby neceſſarily vitiated, and the conſtitution violated, to the degree of impreſſing and ſtamping every act of that government with the dangerous epithet of *uſurpation*; which implies illegality, and may indeed produce anarchy and law-ſuits without end. I here in my own name, in reſpect to what concerns me, appeal againſt ſuch a ſentence, to the juſtice, the equity, the liberal conſtruction, and common ſenſe of mankind in general.

The concluſion I draw from what precedes, is, that if the government of this ſettlement is conſtitutionally veſted in the *majority of Council*, and if it was expected of that majority to aſſert their au-

thority,

thority, he, Lord Pigot, and his associates, were the aggressors, and consequently the original cause of any subsequent violent measures, because all the circumstances of the late Lord Pigot's conduct, in regard to the expulsion of Messrs. Stratton and Brooke, necessarily forced the majority to take the steps they actually followed; considering what they knew of Lord Pigot's power, as military Governor and Commander in Chief, and perhaps, what they had reason to expect from the knowledge they had of his turn of mind and temper.

And now being called upon in my own defence, and in that of the officers, &c. of the army who followed my orders, I shall take leave to say a few words as to the degree of proof offered to the persons who are said *unanimously*, and upon oath, to have given their opinions, that *I was guilty of wilful murder*;—and without mincing matters, I will venture to say, at all risks, that the annals of the British history do not produce an instance of twelve men, assuming the name of Englishmen, or even English subjects, who, upon such sort of proof, ever gave such a cruel, irrational, inequitable sentence, falsely called a verdict. In saying so, I shall, to support my opinion, chiefly adduce the assertions used in what is called the informations of certain persons, mostly the reputed friends of Lord Pigot, said to have been examined upon oath by this meeting of these twelve men.

And here, lest I should forget, I beg your attention to the style of the informations, which to me seem to be as answers to certain questions leading to prove and establish a favourite system, adopted by that meeting, in order, by all artful means, to fix intentional guilt in the conduct of those who took an active part in the change of government the 23d and 24th of August 1776. The plan and system seems as if meant to prove, that the mode of arresting Lord Pigot, the detaining him in arrest, the attempt to carry him to *Chingleput* (which is represented as if meant for *Gingee)*, and above all, the project of sending him to England by the Lioness, made such an impression on Lord Pigot's mind, that it brought on the disease of the liver, the bilious putrid fever, of which he recovered, and also, that increased liver complaint and bilious fever, which afterwards attacked, and in the end carried him off.

This

This I say seems to be the system of the meeting called the Inest, and you will find all their sett questions were of the leading nd, to establish it.

I shall, as shortly as possible, analyse some of the principal informaons, in these parts which are applicable to any idea or connection etwixt Lord Pigot's situation, while under restraint at the Mount, nd any outward appearance, which, in my opinion, can give authoity or sanction for an honest impartial judge by the laws of his ountry, by common sense, or common conscience, to declare to his ertain knowledge and conviction, that I, or the Gentlemen whose ames are by them dragged into public view, are guilty of the most orrid of all crimes, the *wilful murder* of Lord Pigot.

I premise in this place, that, in my humble opinion, this is the first instance where the vague uncertain reasonings of short-sighted mortals, as to the effect of the mind upon the body. the time, manner, and force of ideas operating upon matter, was ever brought by Englishmen, or any other men, to establish facts of such gravity or importance; for what can be more absurd, nay impious, than in such cases, to reason and draw consequences from the uncertain ideas of the operations of the human mind upon the body; or from such sort of proof, to form a judgment of the malicious intentional guilt of a third person?

The laws of our country (according to what I have heard) have in such cases left nothing to sentiment, conjecture, or idea. To establish the horrid act of *wilful murder*, the clear eye, or the unbiassed judgment must follow the hand of the murderer, and his malicious views and designs, without a halt or doubt, to the very minute of executing the fatal deed.

I never looked into a law-book in my life, so far as I remember, neither have I consulted, or been assisted by any lawyer, or any person whatever, on this occasion; but common sense defines *murder* thus in my opinion, and so far as I know of the manner of trying this question by the laws of England, it seems to admit of this construction because of the unanimity necessary to decide as to the real criminality of a person accused; this admitted, let us now see on what evidence these twelve persons accuse me and others of *wilful murder*.

In

In this place, I think it proper to inform you, that I was abſent from the Preſidency on the public ſervice, during the whole period of Lord Pigot's illneſs, and at the time of his death. His Lordſhip was known to have been in perfect health the 11th of February, when I left the Preſidency, he died on the 11th of May, I did not return until the end of June.

To begin with what is mentioned in the *Diary* of the ſuppoſed Inqueſt, ſigned a true copy by. William Sedgeley, Clerk of the Peace. It is remarkable, that when the perſons who were called together by the ſuppoſed Coroner, and in the Diary are ſtyled the jurors, had been ſworn *over* the dead body of Lord Pigot, the two principal Surgeons of the ſettlement, Meſſrs. *Paſley* and *Anderſon*, are aſked, Whether, from a further inſpection of the body, and particularly from opening it, they can with greater certainty trace the cauſe of his death. Mr. Paſley pointedly replied: "*That a* "*diſeaſe was the immediate cauſe of Lord Pigot's death*; that he ap- "prehends, the jury are deſirous of knowing the cauſe of that "diſeaſe; and that in his opinion, the cauſe of the diſeaſe of which "Lord Pigot died, cannot be diſcovered by opening the body." Mr. Anderſon replied to the ſame purpoſe, and told them, "That "he had brought the proper inſtruments, if it was thought ne- "ceſſary to open the body." Upon which the (ſuppoſed) jury, conſidering, "That if the Surgeons cannot acquire any further "knowledge of the cauſe of the diſeaſe, of which Lord Pigot "died, by opening the body; they think it unneceſſary that the "body ſhould be opened;" and the body was accordingly buried the ſame evening.

The clear inference which I draw from this firſt and leading part of the proceedings of the ſuppoſed Inqueſt, is, That there were no marks of *violence* or *poiſon*, after the moſt careful view of the body of the late Lord Pigot; on the contrary, there was the opinion of two men able in their profeſſions, and of undoubted good character, that Lord Pigot died in conſequence of *diſeaſe*, and therefore I ſay a *natural death*.

And here, according to my idea of impartial juſtice, a ſtop ſhould have been put to any future criminal proſecution, whether by inqueſt, or otherwiſe; for as the ſuppoſed jury were ſatisfied of the truth of Meſſrs. Paſley and Anderſon's declarations, all their future

inquiries

inquiries could only tend to metaphyſical queſtions, or to hear the gueſſes of individuals regarding the manner, time, and force, of the paſſions operating upon the mind and body; and I believe their meeting afterwards, and continuing by adjournment to meet, at the houſe of George Smith, who is called the Foreman, under the aſſumed form of Jury or Inqueſt, is the firſt inſtance where the venerable name of Engliſh law was made uſe of for ſuch purpoſes.

The fact then is admitted, that Lord Pigot died of *diſeaſe*, and that no unnatural ſigns or marks of violence appeared upon his body.

I obſerve alſo in this Diary, that at one remarkable period, upon Monday the 30th of June, on collecting the voices of the twelve perſons who are ſaid to compoſe the ſuppoſed Jury, ſix of them were of opinion, that the offence incurred by the death of Lord Pigot can be conſidered as no leſs than *murder*, and ſix deemed it as amounting to *manſlaughter* only. On which, it ſays, the Coroner obſerves, *that the voices being equal it muſt be reconſidered*; if this is law, I know not; but I am ſure, in my opinion, it is repugnant to any idea of juſtice and mercy, becauſe the difference of judgments admits of the greateſt doubts of the real criminality.

The *Diary* is ſilent as to the arguments uſed by the Coroner or others, to bring over the ſix men, whoſe manſlaughtering mercy, I ſhould for my own part, give them no merit for, becauſe equally as abſurd as the others direct unjuſt cruelty. I only find that they too gave way, for I ſee twelve have ſigned their names to this cruel opinion, which, ſo far as in their power, conſtitutes me a *murderer*.

I believe ſuch grounds for judgment, and ſuch ſport with any man's life, was never before exhibited; for in fact, in the way this Inqueſt have now determined, it had been a better chance for me, if the Coroner had put my fate in his hat, on two ſlips of paper, *life* or *death*, and that *another*, not the *Coroner* himſelf, had drawn my fate, according to the practice of the India-Houſe in caſes where there is an equality.

This Inqueſt, as I am credibly informed, went to England by the Hector in July, ſo far at leaſt as regarded the proceedings then taken, and before the final verdict; and I am undoubtedly informed,

that

that the whole of the proceedings, together with the verdict, were tranſmitted to England by the Swallow, the 21ſt of September. The purpoſes there meant to be ſerved (before I and others had an an opportunity of giving a defence) may without difficulty be gueſſed at.

A compariſon of dates is often of great uſe to put facts in a proper point of view, and I beg your attention to the following extract of the ſaid Diary.

11th of May. Lord Pigot's body inſpected, and no marks to indicate unnatural death. He is buried;—the ſuppoſed Inqueſt adjourn to George Smith's houſe.

They continue to do buſineſs *in their own way*, adjourning from time to time.

30th of June. This ſuppoſed Jury divide, ſix of them pronounce the offence in law to be *murder*, and ſix ſay it is only *manſlaughter*, on which the Coroner deſires to have it reconſidered.

N. B. Mr. Dalrymple's firſt accounts, ſo favourable to the friends of Lord Pigot, are received at Madras the 3d of July.—*This note is not marked in the Diary.*

30th of July. The ſuppoſed Jury find their verdict. *Murder.*
7th or 8th of Auguſt, The ſuppoſed verdict ſigned.

I find moreover in the ſame Diary, that on the 5th September, the minutes of the ſuppoſed Jury are again read in the houſe of George Smith the ſuppoſed Foreman; at which time two of the ſuppoſed Jurors, Meſſrs. De Fries and Ewing, deliver in letters, declaring their reaſons for ſigning the verdict, *contrary to their private opinion.* This ſigning indeed is moſt extraordinary in them, and I ſhould be glad to be informed, what arguments had been uſed by the Coroner, or by any other perſon preſent, to induce them to put their names to ſuch a verdict; for I find on the 24th September this ſuppoſed Coroner held theſe Gentlemen to their ſubſcriptions, and wrote to them, that he had thought it improper to comply with their requeſt, which was only to enter their letters upon the minutes of the proceedings of the ſuppoſed Inqueſt.

Thus far I have remarked upon this ſuppoſed inqueſt, which after admitting, that there was no outward appearance of violence, or marks to cauſe ſuſpicion, on the body of the late Lord Pigot, and having the poſitive declaration of Meſſrs. Paſley and Anderſon, that he died of *diſeaſe*, yet, nevertheleſs, they the ſuppoſed Coroner and jury did afterwards meet at the houſe of George Smith, and continued to meet as a ſuppoſed Court of Inqueſt, from the 11th of May to the 7th or 8th of Auguſt, or even the 24th of September following, the ſpace of three months, chiefly to aſk pointed queſtions, and opinions concerning the cauſe or cauſes of the diſeaſe of which the late Lord Pigot died; which to the Europeans of this ſettlement is univerſally known to be the lot of almoſt every one (mine it has been ſeverely) reſident here, at ſome one period of his life; for the diſeaſe that affected Lord Pigot in the firſt ſtage (of which he recovered to all appearance), and alſo after the relapſe, and of which he died, *was a putrid bilious fever, originating in a diſordered liver.*

Now let us collect from the declarations of the following perſons, many of whom the intimate friends of Lord Pigot, what degree of certainty, even in their ideal proof, is eſtabliſhed by this metaphyſical Court of Inqueſt.

Meſſrs. *Paſley* and *Anderſon*, on reviewing the body in preſence of the Twelve, declare, Lord Pigot died of diſeaſe, as has been already noticed, and nothing unnatural therefore appeared upon the body.

Mr. *Ruſſell*, who ſays that from the time of Lord Pigot's laſt arrival in India, he was hardly one day abſent from him (excepting when Lord Pigot was at Tanjore), *declares*, That during Lord Pigot's confinement his health appeared to be very good, until the *fifth or ſixth day of March*, though his Lordſhip's friends thought the diſeaſe which the Surgeons repreſented to be bilious, might have been lurking in his body for ſome time. Suppoſe this time to be eight or ten days, becauſe Mr. Ruſſell mentions *actually* that time; this, at the utmoſt, brings the firſt notion of the *lurking ſtage* to the laſt week of February. He adds, That Lord Pigot grew better towards the end of March; and that he relapſed in the beginning of April.

Here then by Mr. Ruſſell's declaration (who ſaw him daily) is the *viſible* beginning of Lord Pigot's bilious diſorder, brought to the

fifth

fifth or ſixth of March, and by conjectures of his friends the *inviſible* beginning, to the laſt week of February.—Lord Pigot gets to all appearance well, and afterwards relapſes.

Mr. *Monckton*, ſon-in-law to Lord Pigot, declares, That during the firſt part of Lord Pigot's confinement, he was in very good health, and that his illneſs was firſt apparent about the fourth or fifth of March; that Lord Pigot towards the end of March got better a good deal; early in April he was again taken ill, and continued growing worſe, &c.

Now let us ſee what Mr. *Stone* ſays: Mr. Stone went to reſide at the Mount, the beginning of October. This perſon ſays, That Lord Pigot appeared to enjoy a good ſtate of health, until the latter end of December, or beginning of January; he (Stone) *had already ſaid*, That his Lordſhip's ſpirits from that time appeared not ſo good as before, and that he ſeemed full of anxiety. Mr. Stone adds, That Lord Pigot was taken ill ſome time between the firſt and eighth of March.

N. B. When any perſon gives his opinion, as is the preſent caſe upon oath, I wiſh to attribute all difference of expreſſion to ſhortneſs of memory, or miſtaken judgment of appearances.

Here is then a difference of two months as to the beginning of Lord Pigot's diſeaſe, in the opinion of Mr. *Ruſſell*, who never quitted him a day, and alſo of Mr. *Monckton*, from that given by Mr. *Stone*. But Mr. Stone had formed to himſelf a ſyſtem, and he judged for Lord Pigot differently from his boſom friends, Mr. *Ruſſell* and Mr. *Monckton*, and I believe from *Lord Pigot* himſelf, and every other perſon who then lived at the Mount.

Mr. Stone labours to prove, That Lord Pigot's health was directly affected by the letter of the late Government to Bengal, and the reports about ſending him home by the Lioneſs. Now, unluckily for this hypotheſis, the dates are as follows:

The letter to the Governor-general and Council for an opinion concerning the removal of Lord Pigot is dated the 19th of October. The reports current in this ſettlement were about 20th or 21ſt October. The note of Mr. Stratton, which really did remove theſe apprehenſions, was dated 7th January; the official notice the 20th January.

The inference I wiſh to draw from theſe two accounts is, that if we ſee men in habits of intimacy with Lord Pigot, differ in opinion ſo widely even in the *viſible* outward appearances of his illneſs, how much more reaſon have we to diſtruſt the opinion of people who reaſon upon *immaterial inviſible* ſubjects.

In ſhort, I believe every perſon who was examined, except *Mr. Stone*, agree in their accounts, that to all outward appearances Lord Pigot enjoyed an uninterrupted ſtate of good health until about the beginning of March, and it ſeems from the examinations to be generally agreed, that Lord Pigot did unneceſſarily expoſe himſelf to the ſun by working in the garden, appearing without his hat; and perhaps his Lordſhip injured his health by abſtaining from the uſual exerciſe in the chaiſe; but this laſt ſort of exerciſe, or any other he thought proper, was in his power at all times to have had if he ſo choſe.

I ſay, therefore, that in what concerns Lord Pigot's illneſs, both firſt and ſecond, nothing appeared but what may be aſcribed to natural cauſes; I mean ſuch as are incident to every perſon in this ſettlement, whether under reſtraint or not; for I believe there is no law to juſtify in ſimilar caſes any conjecture or opinion in regard to the impreſſions of Lord Pigot's mind upon his body, ſo as to infer intentional guilt on the part of thoſe who, for reaſons of ſtate, put ſome degree of reſtraint upon him, to prevent his entering this forteſs, which might have been of real bad conſequences to himſelf, as well as to his friends, and alſo to the public; and if any expreſſions of perſons on examination denote a degree of certainty, that this reſtraint did contribute to his illneſs, the utmoſt that can be inferred from it is, that it is matter of their private opinion, but no legal evidence or ſufficient proof.

I ſee by the Diary, that the ſuppoſed Jury had a fixed plan to inveſtigate theſe operations of the mind, and in conſequence examined ſeveral perſons. I do not think it at all neceſſary to repeat what was only their conjectures; but it well deſerves notice what *Doctor Anderſon* poſitively ſwears to, *viz.*

" *That Lord Pigot told him he (Lord Pigot) could almoſt tell the* " *day when he became ill; he had been working in the garden till late* " *in the ſun, that he came in very hot* (as Mr. Anderſon thinks Lord " Pigot ſaid) *to Mr. Monckton's houſe and drank ſomething* (he thinks " he ſaid Punch), *and was very much over-heated, &c.*"

Mr. *Anderſon* afterwards obſerves, " That as to the impreſſion on " the mind of Lord Pigot, occaſioned by the attempt to remove him " from the Mount, he thinks in compliment to Lord Pigot's me- " mory it could have no conſiderable effect, *becauſe he underſtood* " *that Lord Pigot enjoyed a great degree of health for ſome time after* " *that attempt.*"—And as to how long my Lord Pigot's diſeaſe might have been *dormant* in his conſtitution, before the *viſible* effect of it appeared, Mr. Anderſon thinks " *that Lord Pigot had no local* " *diſeaſe in the parts which were afterwards affected, till the time* " *that he was overheated as before mentioned.*" Mr. Anderſon fur- ther obſerves, " *That the ſeaſon of the year during Lord Pigot's ill-* " *neſs was the hotteſt ſeaſon of the year, and that Farenheit's Ther-* " *mometer was at 95, 96, and 97 degrees every day at that time in* " *the ſhade.*"

I ſay that this information of Mr. Anderſon, which conveys the very ideas of Lord Pigot himſelf, with regard to the immediate cauſe of his illneſs (whether the firſt or ſecond attack is immaterial), of itſelf outweighs volumes of other people's conjectures; beſides that it conveys other eſſential circumſtances, amounting to the greateſt degree of certainty, that Lord Pigot's illneſs aroſe from or- dinary and natural cauſes, peculiarly incident to the human body in this climate;—and with this clear evidence I ſhall cloſe what I have to ſay on the ſuppoſed Jury or their Diary.

I am really at a loſs to know, what are the real true motives of the perſons who call themſelves Lord Pigot's friends, in endeavour- ing to perſecute me and others, even to death, upon ſuch ſort of proof; ſurely they pay but a poor compliment to his memory, to ſuppoſe that he was overborne by the circumſtance of his ſituation, to ſuch a degree affecting his ſpirits, and his health, as to occaſion his death: I ever had, and ſtill have a much better opinion of Lord Pigot's ſpirit and fortitude of mind, which I believe he poſſeſſed in a very eminent degree, and there is nothing in fair proof appears to the contrary.

I have already ſaid enough as to the uncertainty and fallacy of human reaſon, in judging concerning any other perſon's thoughts and feelings; I muſt here add, that were we to admit in Lord Pigot's caſe, that the agitation of his mind, on account of the poli- tical differences in the ſettlement, did contribute to the illneſs of which he died, it will be found, that his own ſuppoſed friends, as

alſo the Governor-general and Council of Bengal, have their ſhare of guilt in this reſpect, in common with the late Government; the firſt, in teizing him with alarms, and ſuppoſed plots, and hearſay ſtories; the other, in giving their opinion according to what they thought was their duty; for we obſerve in Mr. Haliburton's in- formation, that when he brought from Mr. Stone or Mr. Ruſſell, the copy of the Governor-general and Council's letter about ſending Lord Pigot home, he (Lord Pigot) read it with ſeeming agitation; and Mr. Haliburton ſays, he remembers perfectly the ſtrong ex- preſſion Lord Pigot made uſe of, *Would you not think*, ſays he, *they are treating me as a mad dog*. Mr. Haliburton adds, that he perceived his Lordſhip's ſpirits to be depreſſed, and a viſible alteration on him ſince the time of the intention of ſending him home was known to Lord Pigot; and yet, as is obſerved before, ſuch evident change was not obſervable to Mr. Ruſſell, to Mr. Monckton, nor, as it ſeems, to Lord Pigot himſelf, before the end of February or the beginning of March.

On this occaſion, I take leave to ſay, that Lord Pigot's memory is injured by ſuch conjectures or aſſertions, at leaſt, if I may be ſuffered to ſpeak of myſelf, in my preſent ſituation, I ſhould not think that by ſuch reaſoning I was obliged to any perſon, nor would I therefore look upon him as my real friend.

My caſe is ſingular enough; I at preſent find myſelf, contrary to every reaſonable hope or expectation, or aſſurance before leaving England, ſuſpended, and even ſuperſeded, in the Company's ſervice, by orders of ſuperiors at home, *without a fault alleged*; unjuſtly charged at the ſame time with the moſt atrocious crime poſſible, and ſubject to the courſe of law in the ſettlement, where I had the honour to command the army, and where I am bold to ſay, I had conſcientiouſly done my duty, in every reſpect, with the greateſt de- gree of ſelf-denial; I ſay, were I in theſe evident preſent ſufferings, to allow my imagination to increaſe them by adding or anticipating other misfortunes, or if I were voluntarily to deny myſelf the pro- per or uſual food, exerciſe, and amuſement, the natural conſequence, in all human probability, would be a ſecond fit of illneſs, perhaps fatal; and if ſo, I aſk, Would my honourable employers think it juſt to be accuſed of *murder*, becauſe they were pleaſed to order me to be ſuſpended or ſuperſeded for reaſons beſt known to themſelves? No; I believe that no jury in England would be found to give ſuch a verdict; for my own part, I here declare, that ſuch ſort of re-

venge or recrimination would be a cenſure on my memory, for I ſhall endeavour to ſhew myſelf ſuperior to ſuch accidents, and if I die at this time, I truſt my friends will ſo far reſpect my memory, as never to ſuppoſe, that I ſuccumbed under the preſſure of ſuch misfortunes, or that it was in the power of any man, or body of men, to make me ſo far forget the part of a man of true fortitude.

I have thus, at more length perhaps than was neceſſary for my own defence, as a ſoldier acting under orders, or for the defence of Lieutenant-colonel Horne, Captains Lyſaght and Edingtoun, and others who acted by my orders, entered into the merits of the charge before you, but I hope the public motives will ſerve as an apology, becauſe although I am only reſponſible for the execution of the orders given me the 23d of Auguſt 1776, yet, after the fulleſt information from the Gentlemen of the late Government, I took my part, and I did it from the cleareſt conviction of the neceſſity of the meaſure at that criſis; and therefore I think myſelf intereſted on their accounts, as well as my own, to endeavour to carry to your minds the ſame degree of conviction, which I then felt, and now feel in my own mind, as to the neceſſity of the times, and as to the innocence of the late adminiſtration, with reſpect to any wilful intentional acts affecting Lord Pigot's health or perſonal ſafety.

But in regard to my own defence, againſt the heavy charge or imputation of *wilful murder*, and what reſpects the officers or others of the army, mentioned in the ſuppoſed verdict, I truſt from what I have already ſaid, and from the words and clear meaning of my commiſſion, from the practice of military ſervice in all countries; but more particularly, as being held by the ſacred oath of fidelity to the Honourable Company, according to my commiſſion, which at the time was ſubordinate to that of Sir Robert Fletcher, that you, Gentlemen, will ſee I was bound to obey the order of him (Sir Robert Fletcher) my ſuperior at the time, according to the rules and diſcipline of war; he (Sir Robert Fletcher) was of the Council, and reſponſible, and I ſaw his name joined with a clear Majority of Council, which together I obeyed, not only as a ſoldier, for the reaſons already ſtated, but as the joint legal repreſentatives of the Honourable Eaſt India Company, who had a right to command my obedience, without entering into any explanation, ſeeing that at the time I had no claim to a ſeat or voice in Council.

For all theſe reaſons, and for others which I do not mention, becauſe I truſt they muſt occur from your own knowledge of the proofs adduced, and your equitable conſtruction of the laws and conſtitution both of England and of the Eaſt India Company, in the government of their concerns within this preſidency, I poſitively deny the truth of the charge or imputation conveyed in the ſuppoſed verdict, and declare in your preſence, before God, and to all the world, that I am not, in any ſenſe or reſpect, either by act, intention, or thought, guilty of the wilful murder of the late Lord Pigot.

(Signed) JA'. STUART.

FINIS.

A

LETTER

TO THE HONOURABLE

The Directors of the East-India Company,

FROM

ANDREW STUART, Esq;

RESPECTING

The Conduct of Brigadier-general JAMES STUART,
at MADRAS.

[December, 1778.]

Theſe ſeverities have been inflicted, not only antecedent to any trial of his conduct, but without any proper evidence of his being culpable; and the influence and effects of them ſtill continue to ſubſiſt with full force and rigour againſt him, in conſequence of the refuſal he has lately met with at Madras, of a Court of Enquiry, or a trial by a Court-martial.

This enquiry and trial you had, by your orders, ſent by the Beſborough in July 1777, directed to take place, and in conformity with that direction, Colonel Stuart, flattering himſelf that the wiſhed-for moment was arrived for vindicating his character and conduct on the ſpot where the tranſactions had happened, and that a period would ſoon be put to his ſufferings, ſolicited that public trial in the moſt earneſt and fervent manner; but hitherto in vain;—for the reſult brought by the laſt diſpatches from Madras, is, that the Governor and Council there, at the ſame time that they refuſe the trial ſo earneſtly requeſted, and even inſiſted upon by Colonel Stuart as his right; are pleaſed, in conſequence of the directions they had received from home, to continue for an indefinite time that ſuſpenſion, which, in the early ſtages of this buſineſs, had been inflicted during the ſpace of ſix months.

The conſequence now is, that after having exerted himſelf, while Commander in Chief of your forces, in the moſt indefatigable and confeſſedly uſeful manner for the intereſts of the Company, by many new military regulations, and by putting the army and military poſts in the Carnatic on the moſt reſpectable footing, of which the Company, if I am rightly informed, has received undoubted intelligence, and from which, by the circumſtances of the times, they may probably ſoon feel material advantages: I ſay, after theſe exertions, which, jointly with the baneful influence of the climate on European conſtitutions, have greatly impaired his health; he finds himſelf degraded from the firſt military ſituation, with ſevere marks of diſpleaſure, waiting the return of the diſpatches lately brought home; and ſuffering in this unpleaſant interval, all the anxieties and impatience

incident to an officer of ſpirit, expoſed to the [illegible] of the prejudices and aſperſions with which his character and conduct had, in the firſt heats of party-rage, been aſſailed, without any means afforded him of vindicating his honour, by oppoſing, in the courſe of a public trial, authentic facts and proofs to groundleſs or illiberal imputations.

To ſatisfy you, Gentlemen, that there is nothing exaggerated in this ſhort ſketch of his ſituation, I muſt beg your permiſſion, to bring under your view, ſome of the moſt ſtriking incidents which have happened ſince the period when he received from you his firſt commiſſion in the ſervice of the Honourable Eaſt India Company.

In the year 1775, Colonel Stuart, at that time a Lieutenant-Colonel of many years ſtanding in the King's ſervice, was, with his Majeſty's permiſſion, appointed ſecond in command of all the Company's forces upon the coaſt of Coromandel, with the rank of Colonel in their ſervice; and by the ſame appointment, it was ſettled and eſtabliſhed, that upon the death, reſignation, or removal of the then Commander in Chief Sir Robert Fletcher, the command in chief, with the ſame rank of Brigadier-General, ſhould devolve upon and be enjoyed by Colonel Stuart.—Upon the faith of theſe agreements and appointments Colonel Stuart entered into the Honourable Company's ſervice, and ſailed for India.

He left England in November 1775, and arrived at Madras in May 1776.

Before his arrival, there had been many diſputes and diſſentions between Lord Pigot the Governor, and the Members of the Council at Madras. The conteſt and animoſity between them with regard to their reſpective powers and privileges, as well as with regard to ſome matters of government, was far advanced at the time of Colonel Stuart's arrival, and according to all appearances in a way of increaſing daily.

I have letters in my poſſeſſion from my Brother ſoon after his arrival, mentioning theſe diſſentions, and his intentions to avoid taking part

with

[illegible] side in their disputes, and to apply himself entirely to his own business in the military [illegible]

In particular, the dissention between Lord Pigot the Governor, and Sir Robert Fletcher the Commander in Chief, soon increased to such a height, that in the month of July 1776, Lord Pigot issued an order for putting Sir Robert Fletcher under arrest, and offered the command of the army to Colonel Stuart, then second in command. This, though a very inviting offer, Colonel Stuart declined; he accommodated the differences between the Governor and Commander in Chief; prevailed on Lord Pigot to withdraw the arrest; and Sir Robert Fletcher was thus continued in the command of the army.

In the month of August 1776, the disputes between Lord Pigot the President, and the Majority of the Members of Council, came to such extremities, that it was evident there could be no further hopes of accommodation between parties who considered their powers, and the constitutional government at Madras, in such opposite points of view.—It was the *crisis* of a contest in which there was no likelihood of either party voluntarily yielding to the other,—a situation which almost unavoidably produces the necessity of resorting to strong and violent measures for asserting or preventing the annihilation of those powers which the contending parties severally think themselves entitled to exercise.

It was this *crisis* and necessity which probably made Lord Pigot, on the one hand, think himself entitled to resort to the violent measures to which he had recourse on the 22d and 23d of August 1776; when his Lordship first suspended from their offices two of the Members of the Majority of Council, and then suspended the whole of them, ordering at the same time Sir Robert Fletcher the Commander in Chief under arrest, upon a charge of exciting mutiny and sedition among the troops in garrison, which was inferred from his concurring with the Majority of Council in a protest signed and circulated by them on the 23d of August.

On the other hand, it was probably the same *crisis* and necessity gave rise to the idea and to the resolution taken by the Ma-

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jority of Council, and by Sir Robert Fletcher the Commander in Chief, upon the same 23d of August, when they assumed the reins of government, and signed an order to Colonel Stuart the second in command, on whom they conferred the temporary command of the army on account of the indisposition of Sir Robert Fletcher, by which order they required him, Colonel Stuart, to put them, the Majority of Council, in possession of the fort-house, fortress and garrison of Fort St. George, and to arrest the person of Lord Pigot the Governor. By the same order, the Majority conferred upon Colonel Stuart the command of the garrison of Fort St. George, during the present danger.

Here I think it proper to declare that it is by no means my intention to criminate or exculpate either Lord Pigot, and the Gentlemen who adhered to him, or the opposite party composed of the Majority of the Members of Council: I do not wish to embark myself in any part of that controversy relating to the merits of the questions which first produced the dissentions, and afterwards the total rupture between Lord Pigot and the Majority of Council; for besides a natural dislike to all manner of controversies where I am not necessarily and unavoidably called upon to take a part, I do apprehend that the merits of my Brother's case, stand upon grounds totally separate and distinct from those which have been contested between Lord Pigot on the one hand, and the Majority of Council on the other; I have hitherto avoided, both in the India-house and in Parliament, taking any share in the questions agitated between these parties, and it is my intention to continue to do so, unless points should occur where my Brother's honour or interest might happen to be essentially affected, and in which I may think him so much in the right, as to make it an unavoidable duty on me to stand forward in his behalf.

I mean, therefore, here to confine myself to the particular circumstances under which Colonel Stuart acted, in obedience to orders from Superiors, whom he thought himself bound to obey, without taking upon myself to say or insinuate, whether these Superiors did right

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or wrong, in iſſuing thoſe orders; neither ſhall I preſume to give an opinion, whether the violent acts, either of the one party or the other, were right in themſelves, or juſtifiable from reaſons of expediency or neceſſity.

The difficult alternative to which Colonel Stuart was reduced by the orders received from the oppoſite parties.

The written order of 23d of Auguſt 1776, to Colonel Stuart, for putting the Majority of Council in poſſeſſion of the fort, and for arreſting the perſon of Lord Pigot, was ſigned by Seven Members of the Council, which conſtituted an unqueſtionable Majority; and it is farther to be obſerved, that one of thoſe Members who ſigned that order, was the Commander in Chief, Sir Robert Fletcher.

At the time when Colonel Stuart received this order, he had no ſeat or vote in Council, no deliberative voice; his duty was that of obedience only to his lawful ſuperiors, civil and military; he thought it therefore indiſpenſibly his duty to obey the joint orders of a clear Majority of Council, concurring with the Commander in Chief; convinced, as he has always been, and ſtill declares himſelf to be, that the legal conſtitutional government in the Company's ſettlement at Madras is veſted, not in the Governor or Preſident alone, nor in the Governor with a Minority of Council, but in the Majority of the Members of Council.

Upon the ſame day that the Majority of Council and the Commander in Chief ſigned the above order to Colonel Stuart, there was an offer to him of the command of the army, from Lord Pigot and his Lordſhip's friends in Council. The general orders iſſued by them of that date were in theſe words:

" Fort St. George, 23d Aug. 1776.

" The Right Honourable the Preſident and Council having been " pleaſed to order Brigadier-general Sir Robert Fletcher in arreſt, for be-

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" ing concerned in circulating letters tending to excite and cauſe mutiny " and ſedition among the troops in this garriſon, Colonel James " Stuart is ordered to take upon him the command of the troops under " this Preſidency, and all reports and returns are to be made to him " accordingly."

Here then Colonel Stuart, to whom upon the ſame day the temporary command of the army was offered by one party, and the abſolute unlimited command by the other, with poſitive requiſitions from each to act under their authority, was placed in one of the moſt delicate and difficult ſituations that ever fell to the ſhare of any military man;—it was impoſſible for him to be an inactive or an idle ſpectator.

Had he refuſed the command of the army, and thus incurred diſobedience to the orders of both parties, he was liable to be perſecuted by both, at leaſt by the party which ſhould gain the aſcendant, by whom he would certainly have been put under arreſt, and brought to trial by a Court-martial for diſobedience of orders.

He was therefore reduced to this alternative, that he muſt either give ſupport to the government of Lord Pigot, to the prejudice of all the ſuſpended Members of the Majority, and to the prejudice of his Commander in Chief, then ordered under arreſt, and about to be tried for his life; or he muſt obey the joint orders of the Commander in Chief, and the Majority of Council.

The conſequences that would have reſulted from Colonel Stuart's obeying the orders of the Preſident and Minority.

The ſituation was a very hard and diſagreeable one for Colonel Stuart; becauſe, whether he obeyed the orders of one or the other party, he was certain to meet with much blame, outcry, and perſecution, from the oppoſite party. We all know how liberally theſe have been beſtowed upon him, in the event which has happened; but let us ſuppoſe

poſe the contrary event, that he had diſobeyed the orders of the Majority and Commander in Chief, and given his ſupport to the government of Lord Pigot and the Minority, what an opening would that have afforded for obloquy and perſecution?

His accepting of the command from the Governor and the Minority would have been aſcribed to the baſe ungenerous motive of ſupplanting Sir Robert Fletcher, the Commander in Chief; and, ſuppoſing Lord Pigot to have prevailed at that time, and to have proceeded with the fulleſt career of ſucceſs in eſtabliſhing his government upon the ruins of the Majority of Council, and even without any further reſiſtance on their part, or any diſturbance in the ſettlement, there can ſcarcely be a doubt that when the news of theſe tranſactions reached England, they would have excited a general diſapprobation of the violent meaſures by which a Majority of Council had been deprived of their functions, and the Commander in Chief of the forces put under arreſt, and ſuperceded in his command.

Upon that occaſion too, the military officer who had lent his aid for eſtabliſhing that new government, who had availed himſelf of the opportunity to ſupplant and to get into the place and profits of his Commander in Chief, and who had been guilty of diſobedience of orders, both with reſpect to that Commander and the Majority of Council, would moſt probably have felt the ſevereſt effects of the indignation of the Directors and Proprietors of the Honourable Company, and of the public at large.

My reaſon for ſaying that there can ſcarcely be a doubt that ſuch would have been the reception given at home to the violent proceedings in Auguſt 1776 in ſuſpending the Majority of Council, is founded not only on the nature of the incidents themſelves, but on the diſapprobation which has been expreſſed by the India Company of that part of Lord Pigot's conduct, when taken into conſideration in this country at a time, and under circumſtances the moſt favourable for his Lordſhip, and the leaſt auſpicious for thoſe who had oppoſed him.

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If any degree of diſapprobation and cenſure of thoſe parts of his Lordſhip's conduct could take place at a time when ſo much generous and natural ſympathy aroſe from the hardſhips and reverſe of fortune which Lord Pigot had experienced,—at a time when the minds of men were in general more filled with animoſity and indignation againſt thoſe who had been the occaſion of his ſufferings, than attentive to any errors or irregularities in his Lordſhip's conduct or principles of government, how different would it have been, if the diſpatches from India, inſtead of bringing accounts of any hardſhips ſuffered by Lord Pigot, or by thoſe who adhered to him, had been filled only with the news of the hardſhips, indignities, and prejudices ſuſtained by the oppoſite party, and of Lord Pigot's having been aſſiſted and abetted in the eſtabliſhment of his new government by the ſecond in the military command, who by his revolution had attained the command in chief?

I am well warranted to ſay, that in the caſe here ſuppoſed, the outcry and indignation both againſt Lord Pigot and Colonel Stuart would have been more general, and better founded, though they could not have been more violent than what Colonel Stuart has experienced in the oppoſite caſe which has happened.

It muſt be allowed then, that Colonel Stuart was moſt unfortunately circumſtanced, ſince whichever ſide of the queſtion he eſpouſed in theſe unhappy diſputes between the Governor and the Council, and to whichſoever of the parties he gave his obedience and ſupport, he was certain of receiving for his reward much future obloquy and perſecution.

But the conſequences affecting himſelf were not the only or the moſt material ones which Colonel Stuart at the time of taking his deciſive reſolution was bound to attend to; it became proper for him further to conſider, what the poſſible or probable conſequences might be, to the Company's ſettlement in that part of the world, in caſe he ſhould obey the orders of Lord Pigot and the Minority, in preference to thoſe of the Majority of Council and the Commander in Chief.

Is

Is it at all probable, that Sir Robert Fletcher, the Commander in Chief, known to have been of a diſpoſition neither timid nor indolent, and who was drove to the neceſſity of making ſome exertion for his own ſafety, to reſcue himſelf from his impending fate; I ſay, is it probable, that he would have tamely and placidly acquieſced in the eſtabliſhment of the government of Lord Pigot and the Minority, and in his own ſuperceſſion and trial by a Court-martial, even ſuppoſing that Colonel Stuart had given his ſupport to Lord Pigot?

Or again is it probable, that all the gentlemen of the ſuſpended Majority would have placidly and tamely acquieſced in that new government, and in their own ſuſpenſion, degradation, and diſgrace, without making ſome efforts to preſerve their rights and their conſequence in the important ſettlement of Madras?

Is it further to be ſuppoſed, that theſe gentlemen of the Council, many of whom had been long eſtabliſhed in India, and had extenſive connections there, and who were embarked in a common cauſe with the Commander in Chief of the troops, would have had no ſupport of friends, civil and military, to eſpouſe their intereſts?——Theſe things cannot be ſuppoſed in conſiſtency with any juſt obſervation on the common courſe of events.

The probability is, if Colonel Stuart, then ſecond in command, had in the month of Auguſt 1776 given his obedience and ſupport to Lord Pigot and the Minority, in oppoſition to the Majority of Council, and Sir Robert Fletcher, the Commander in Chief of the forces, that the conſequences would have been much more ſerious and alarming to the peace and ſecurity of the ſettlement, than any which either actually happened, or were likely to happen, from Colonel Stuart's acting in obedience to the orders of the Majority.

What a dreadful ſcene, and how alarming in its conſequences muſt it have been, if, while one part of the army ſhewed a readineſs to obey the orders of Lord Pigot and Colonel Stuart, another part, either from attachment or obligations to Sir Robert Fletcher their Commander in

Chief, or from thinking his life in danger, or from an opinion that the *legal Government* which they were bound to obey was veſted in the Majority of Council had declared themſelves ready to follow his and their fortunes, and to give their aid for ſupporting that government?

Surely no man can maintain, with any degree of certainty, or even with a ſuperior weight of probability, that this would not have been the caſe; perhaps I might venture to expreſs my ſentiments more ſtrongly on this ſubject, becauſe, after having been at conſiderable pains to inform myſelf accurately, the information I have received from good authority is very poſitive, that ſuch would have been the conſequences; eſpecially too, as the Supreme Council in Bengal had, even before that period, expreſſed their ſentiments very ſtrongly, in diſapprobation of ſome parts of Lord Pigot's conduct; and it is well known, that they afterwards had no heſitation to pronounce the Majority of the Council of Madras to be the *legal government*, and to declare their firm reſolution to ſupport it *.

Theſe particulars have appeared to me neceſſary to be ſtated at ſome length, becauſe, in the courſe of all the diſcuſſions hitherto in relation to theſe unhappy diſturbances at Madras, they ſeem almoſt to have eſcaped obſervation; no juſt allowance has been made for the very critical and difficult ſituation in which Colonel Stuart was placed, and in the midſt of the outcry againſt him, a notion ſeems ſomehow or

* In the letter from the Supreme Council to Lord Pigot of the 10th of September 1776, they expreſs themſelves thus: "We therefore deem it incumbent on us to declare, that the "rights and powers of the Governor and Council of any of the Company's Preſidencies, are "veſted by their original conſtitution, in the Majority of the Board; that the violence com-"mitted by your Lordſhip, in excluding two of the Members of the Council of Fort St. "George, from their places, was a violation of that conſtitution; that the meaſures taken "by the Majority to recover the actual government, which of right is veſted in them, aroſe "from the neceſſity of the caſe; and that we ſhall acknowledge and ſupport the title and au-"thority which they conſequently poſſeſs."

At the ſame time, the Supreme Council wrote to Sir Edward Hughes, commanding his Majeſty's ſquadron in India, "requeſting that he would unite with them in affording his aſſiſt-"ance and ſupport to the actual government of Madras, if any change of circumſtance ſhould "render it neceſſary for them to deſire it."

other to have prevailed, as if he had been officiouſly and unneceſſarily active, without conſidering that he was placed in a ſituation, where it was impoſſible for him to be an idle ſpectator, and where he was reduced to the alternative of paying obedience and giving active ſupport either to Lord Pigot and the Minority, or to the Majority of the Council united with the Commander in Chief.

We all know the total extent of the prejudice and miſchief that has happened in the one caſe; but no perſon can take upon him to ſay, of how much greater magnitude the miſchief and confuſion in the ſettlement might have been, if the contrary event had happened, by Colonel Stuart's obeying the orders of the Minority, inſtead of thoſe of the Majority.

It is the buſineſs of the Members of the Majority who iſſued the orders, to ſhew the neceſſity or propriety of theſe orders, for which they alone are reſponſible; and the only thing incumbent on Colonel Stuart, is to ſhew the neceſſity he was under to obey them; and he perſuades himſelf that he ſhall not only be able to give the utmoſt ſatisfaction on that head, but likewiſe further to prove, beyond the poſſibility of doubt, that he *executed* thoſe orders in a manner, which of all others was the beſt calculated to avoid bloodſhed and confuſion in the ſettlement.

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ode of exe- the orders Majority aining poſ- of the for- nd for ar- the perſon d Pigot.

I take it for granted that it will not be diſputed by any man, and much leſs by any man of military experience, that it is a material part of the duty of an officer charged with ſuch an unpleaſant and hazardous order, to ſtudy to execute it in ſuch a manner, as may leaſt endanger the lives either of thoſe who are the objects of the order, or of thoſe by whom it is to be carried into execution, and at

at the ſame time may be the beſt calculated for avoiding tumults in the community.

It is admitted on all hands, that all theſe material purpoſes were completely anſwered by the mode in which the arreſt of Lord Pigot, and the poſſeſſion of the fortreſs of Fort St. George, were accompliſhed; for there was not a life loſt; nay, not the ſmalleſt perſonal hurt received by any one man in the ſettlement upon this occaſion.—Not only ſo, but from the day of Lord Pigot's arreſt, on the 24th of Auguſt 1776, to the arrival of the new Government at Madras, in the end of Auguſt 1777, there had not been any tumult or diſturbance in the ſettlement, in conſequence of the incidents of the month of Auguſt 1776, nor any man impriſoned or injured in his perſon or property; and further, ſo little was there of confuſion or anarchy in the ſettlement, that according to my information, the accuracy of which you, Gentlemen, have the beſt opportunities of knowing, the inveſtments for the Company during that period, from the Madras preſidency, were to a greater amount than they had ever been known during any ſimilar ſpace of time, and the revenues of the Company on re-letting their home-farms contiguous to Madras were very conſiderably encreaſed.

From theſe facts, one would be apt to think, that a great commercial Company, whoſe chief and ultimate object muſt be the peace and tranquillity of the ſettlements belonging to them, and the proſperity of their commercial intereſts, would feel ſome partiality for an officer in their ſervice, who in the execution of ſuch orders, which he thought himſelf under a neceſſity of obeying, had ſo managed, as to avoid every miſchief that might have been fatal to the peace of the ſettlement, or to the lives and properties of thoſe who reſided in it.

In all the papers or letters from Colonel Stuart, public or private, he has always expreſſed the higheſt ſatisfaction that the arreſt of Lord Pigot, and the obtaining poſſeſſion of the Fort, had been accompliſhed without

any

any perſonal injury to his Lordſhip or any of his friends, and without one drop of blood being ſpilt upon the occaſion: this he at the ſame time is very confident could not have happened, if he had purſued any other plan, than that which was adopted; and particularly that a very different ſcene, and moſt probably much bloodſhed and tumult, mut have enſued, if Lord Pigot had been arreſted in the fortreſs of Fot St. George; or if, from the conduct of Colonel Stuart or others, Lrd Pigot had perceived or ſuſpected that there was an intention of areſting him.

Colonel Stuart is alſo perſuaded, and the nature of the circumſtances demonſtrate, that diſagreeable conſequences of the ſame nature muſt have happened, if the obtaining poſſeſſion of the fortreſs and garriſon of Fort St. George had been attempted, without the previous arreſt of Lord Pigot, while his Lordſhip, by his perſonal preſence, joined to that of his adherents, was at liberty to have inſtigated the whole or part of the garriſon, to declare on his ſide, and to reſiſt the orders of the Majority of Council; which orders, he, Colonel Stuart, was bound at all hazards to carry into execution; for the terms of them were very expreſs; they peremptorily required him to put them (the Majority of the Council) in poſſeſſion of the Fort-houſe, garriſon, and fortreſs of Fort St. George.

Colonel Stuart had accordingly formed a plan and taken his arrangement for getting poſſeſſion of the fortreſs at all hazards, and he has no doubt that he could have ſucceeded in it; but at the ſame time thinks that it might very probably have been attended with the loſs of many lives, and in all likelihood would have been more fatal to Lord Pigot and his adherents, than to thoſe who were to carry the orders of the Majority into execution, who knew that they could depend upon the numbers, fidelity, and firmneſs of that part of the troops which they had at their command for the accompliſhment of this undertaking.

The probability or even the chance of ſuch diſagreeable events happening, was ſufficient to determine Colonel Stuart to avoid the meaſures

meaſures of open force, while there was any poſſibility of accompliſhing the ſame ultimate objects by any other juſtifiable means permitted by the terms of the order he had received. This gave riſe to the plan concerted with Colonel Eidington, Captain Lyſaght, and Major Horne, for arreſting the perſon of Lord Pigot, when on his road from the Fort to the Company's Garden-houſe, and of conducting his Lordſhip with ſafety and without inſult of any ſort to the Mount, at the diſtance of about ſeven miles from Madras, there to be under the charge of Major Horne, the commanding Officer of the corps of Artillery, who was a perſon well known to and reſpected by Lord Pigot, and whoſe general character put him above any ſuſpicions of improper treatment of his Lordſhip.

As ſoon as the arreſt of Lord Pigot was over, Colonel Stuart inſtantly returned to Madras, and put the garriſon and fortreſs into the poſſeſſion of the Majority of Council, from whom he had received his orders; and in this manner, by the ſecrecy and rapidity with which he carried into execution the orders he had received only the preceding day, every object was accompliſhed, without the loſs of one life, and without any diſturbance in the ſettlement.

But, notwithſtanding the rapidity with which theſe deciſive ſteps were taken, an incident happened on the evening of the 24th, even after it was known that the perſon of Lord Pigot had been arreſted, which, though it has hitherto been little adverted to, is well worthy of attention, becauſe it tends to ſhew what alarming conſequences might poſſibly have happened, not only to Lord Pigot himſelf, and his friends, as well as to thoſe that oppoſed them, but even to the ſettlement in general, if Colonel Stuart, in the execution of the orders, had followed any other plan than that which he actually adopted for attaining poſſeſſion of the fortreſs.

The incident I allude to, is what happened on the parade, in the evening of the 24th of Auguſt, after Lord Pigot had been arreſted, and when the fortreſs of Fort St. George had been put into the poſſeſſion

of

of the new government. Mr. Claud Ruſſel, one of the Civil Counſellors of Lord Pigot's party, was found that evening ordering the guards to ſtand to their arms, to pay obedience to him, as the commanding officer in the abſence of Lord Pigot, and endeavouring, by every means in his power, to excite the guards to reſiſtance and violence, while, at this very time too, Mr. Stratton and Mr. Brooke, both ſeniors to Mr. Ruſſell in the Council, were actually in Fort St. George, and aſſembled upon public buſineſs in the Council-chamber at the Fort-houſe.

I beg leave to ſtate theſe incidents preciſely in the words of the information given by Mr. Ruſſel himſelf, when examined upon oath before the Coroner's inqueſt at Madras, upon the 13th of May 1777; in page 29th and 30th of the collection of papers lately publiſhed relating to that Inqueſt, Mr. Ruſſell ſtates what paſſed upon the parade in the fortreſs of Fort St. George, in the evening of the 24th of Auguſt, in theſe words:

" *Hearing ſoon after that Lord Pigot had been carried a priſoner to*
" *the Mount, this Informant (Mr. Ruſſel) thought it his duty, as ſe-*
" *cond in Council, to repair immediately to the Fort. In his way thi-*
" *ther, this Informant met with Mr. Stone, who accompanied this In-*
" *formant; when they entered the Fort and came near to the main-guard,*
" *this Informant met the Town-major, Captain Wood, who told this In-*
" *formant, that he (Captain Wood) had been put under an arreſt for doing*
" *his duty; this Informant therefore directed the Town-adjutant, Lieu-*
" *tenant Pendergait, who happened to be near, to go to the Captain of*
" *the main-guard, and acquaint him, that it was his orders, in the ab-*
" *ſence of Lord Pigot, that the guards ſhould ſtand to their arms. Ob-*
" *ſerving that the Captain of the main-guard (Captain Adair) heſitated*
" *to comply with thoſe orders, this Informant went himſelf to Captain*
" *Adair and repeated his orders, appriſing Captain Adair of the danger*
" *of refuſing obedience, as this Informant was the commanding Officer in*
" *the abſence of Lord Pigot, under whoſe orders the guards were.*
" *Captain Adair ſeemed to be much alarmed, and muttered ſomething*
" *about the Commander in Chief; upon which this Informant aſked Cap-*

" *tain*

" *tain Adair, if he had received any orders contrary to what this In-*
" *formant then gave him. Captain Adair anſwered in a confuſed man-*
" *ner, that he had received orders from the Commander in Chief. About*
" *this time a crowd of officers aſſembled round, and as the guard ap-*
" *peared to be ſtanding to their arms, part having already fallen in,*
" *this Informant was advancing towards their front, when Colonel*
" *James Stuart came up to this Informant, and told him he muſt go to*
" *the Conſultation-room. This Informant replied, he was not under*
" *the orders of Colonel Stuart, but on the contrary, that he was under*
" *the orders of this Informant. Some more words to the ſame tendency*
" *paſſed between Colonel Stuart and this Informant, when Colonel Stuart*
" *called out orderlies, ordering them to ſeize the Informant. Lieutenant*
" *Colonel Eidington and Captain Barclay, each ſeizing this Informant*
" *by the arm, this Informant called out to the officer of the guard for*
" *aſſiſtance, but in vain, although ſome of the grenadiers did ſtep out of*
" *their ranks. In this manner, this Informant was dragged by Colonel*
" *James Stuart, Lieutenant-colonel James Eidingtoun, and Captain*
" *Barclay, ſome orderlies puſhing this Informant behind, to the Council-*
" *room; where this Informant found Meſſrs. George Stratton, Sir Ro-*
" *bert Fletcher, Henry Brooke, Charles Floyer, Archdale Palmer, Francis*
" *Fourdan, and George Mackie, ſitting at the Council-table. This informant*
" *was detained in the Council-room, until Colonel James Stuart dictated a*
" *narrative of what had paſſed upon the parade, to Mr. Fourdan, who*
" *appeared to act as ſecretary.*"

In another account given by Mr. Ruſſel of this ſame matter, alſo upon oath, in the month of Auguſt 1776, there are the following additional circumſtances:

" *That Colonel Stuart, upon ſeeing ſeveral of the grenadiers advancing*
" *from the ranks towards him (Mr. Ruſſel), ſeem'd to be ſo much*
" *alarm'd with this, that he quitted his hold of the Deponent (Mr. Ruſ-*
" *ſel), and ran back to puſh the grenadiers into the ranks, with oaths*
" *and threats; that, after effecting this, Colonel Stuart returned to aſſiſt*
" *Colonel Eidington, and Captain Barclay, by laying hold of the Depo-*

" *nent's*

" *nent's wriſt, and calling for an orderly ſerjeant, to puſh him (Mr.* " *Ruſſel) behind.*"

The inference I draw from theſe facts is, that when we ſee that ſuch a ſenſation and beginning of diſturbance could be produced in the garriſon at a time ſo unfavourable for Lord Pigot's friends, when his Lordſhip was in ſafe cuſtody with the corps of artillery at the Mount; and when there was ſo little time or opportunity afforded them to prepare for any plan of reſiſtance; and when we ſee that this Gentleman, Mr. Ruſſel, though unſupported by the other Members of the Minority, was reſolutely bent on reſiſtance, did every thing in his power to excite the guards to it, and had actually made ſuch an impreſſion, as at one time to make ſome of the guards ſtand to their arms, and afterwards to excite ſome of the grenadiers to ſtep out of their ranks to give him ſupport, if the further progreſs of theſe firſt impreſſions had not been checked by Colonel Stuart's violently threatening and puſhnig back theſe grenadiers, and afterwards laying hold of Mr. Ruſſel, and forcibly taking him from the parade; I ſay, when we obſerve all theſe things, do they not afford the moſt complete conviction, that if Lord Pigot had not been arreſted, but had been with the garriſon, or at liberty, at the time when Colonel Stuart, in obedience to his orders, was to ſeize the fortreſs, there muſt have enſued a very ſerious conflict, and the loſs of many lives.

Without any diſparagement to Mr. Ruſſel, who I know enjoys a reſpectable character, and who ſhewed as much zeal and reſolution as was poſſible for any man in his circumſtances, I may on good grounds preſume, that Lord Pigot himſelf, had he been in a ſituation to act, would not have been leſs zealous or leſs determined; and that his perſonal preſence in the garriſon, where, as Governor of the fort, he had a right to command, and accompanied with friends who would have ſupported him on the occaſion, could not have failed to have produced a very different ſpirit and degree of reſiſtance among the troops in the garriſon; it muſt have been of a much more ſerious nature, than what was or could be produced by the efforts of any of the Counſellors of Lord Pigot's party, who had never acted but in a civil capacity.

Lord

Lord Pigot's former military actions, his rank, the command he was accuſtomed to have of the guards of the garriſon, and his known intrepidity and warmth of temper, would certainly have diſpoſed many of the guards to have obeyed him; and there can hardly be a doubt that he would have riſked his own and their lives, rather than yield to the power which required poſſeſſion of his garriſon; and that in all probability he and many of his adherents, overpowered by numbers, would have fallen.

Let any man fairly eſtimate in his own mind theſe events which, in all human probability, would have happened, compare them with thoſe which actually did happen, and then declare ingenuouſly, whether he thinks Colonel Stuart is entitled to merit or demerit, with the Eaſt India Company, with Lord Pigot's friends, and with this country in general, for preferring to every other, the plan which was actually purſued.

The objections the mode of a reſt conſidered

The mode of arreſting Lord Pigot, and ſome of the circumſtances attending the accompliſhment of it, have been loudly complained of, not as affecting either the peace of the ſettlement, or the intereſts of the Company; but on this ground, that the arreſt is ſaid to have been brought about in a manner that was unhandſome, and deceitful, and that I may not ſeem to avoid ſtating it in the ſtrongeſt terms, even treacherous to Lord Pigot.

Upon theſe topics every circumſtance or commentary that could be collected from the mouths of enemies to Colonel Stuart, has been wrought up with uncommon ingenuity to inflame the minds of the Eaſt India Proprietors, and of the public at large, againſt him; ſo much ſo, that there could not have been more rage and violence, if, inſtead of applying his utmoſt attention and management to ſave Lord Pigot's life, he had been guilty of his murder; or if, inſtead of avoid-

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ing confuſion in the Settlement, he had involved it in tumult and bloodſhed.

If it were unqueſtionably aſcertained upon an examination of unprejudiced and impartial perſons, that Colonel Stuart, in the circumſtances in which he was placed, had acted improperly and with deceit, harſhneſs, or treachery to Lord Pigot, I may venture to ſay that there is no perſon to whom that part of his conduct could give more uneaſineſs, and real concern, than to myſelf; or who would be leſs apt to attempt any vindication, even of a Brother, in ſuch particulars.

I ſhould have no heſitation to condemn any harſh or improper behaviour towards Lord Pigot, on a double account; both becauſe ſuch behaviour would be very unſuitable from one Gentleman to another, and becauſe Lord Pigot was a character entitled to reſpect and attention from the world in general, and particularly from thoſe connected with the Eaſt India Company, to which he had rendered ſuch ſignal ſervices at a former period of his life.

But when the minds of men are much heated in party conteſt, we are not to give implicit faith to the aſſertions either of the one party or the other, with regard to the conduct of a perſon, whoſe part in the buſineſs allotted to him has rendered him obnoxious,—eſpecially in ſo far as theſe aſſertions relate not to ſubſtantial facts, incapable of being miſtaken, but relate to expreſſions uttered in the courſe of converſation, and even to the manner, and the tone of voice which accompanied them.

It happens ſo often that ſuch expreſſions, and the circumſtances attending them, are meant, underſtood and related in ſo very different a manner, by different perſons preſent at the ſame inſtant, that no ſolid reliance can be placed on them as articles of accuſation.

I therefore ſhall not think it neceſſary to take much notice of ſome of the articles which fall under that deſcription; let it however be remembered, that the accounts which were in the beginning circulated by one party, concerning Colonel Stuart's expreſſions, or converſations, in the courſe of the tranſactions of the 24th of Auguſt, are expreſsly denied and contradicted by the other party.

When

When the accounts of the diſturbances at Madras firſt reached this country, Colonel Stuart's friends were not ſupplied with the proper information for anſwering the various aſſertions or calumnies with which his conduct was attacked; becauſe not having any idea that he was to be traduced in ſuch a manner, he had not ſupplied his friends with the means of obviating or refuting the imputations.—Colonel Stuart at Madras could not divine the terms of the Letter which Mr. Dalrymple wrote from Alexandria, at the diſtance of many hundred miles;—nor could he foreſee at Madras, the liberties which, in conſequence of that Letter, and of other reports circulated at the commencement of this Indian diſpute, were taken with him in this country, at the diſtance of ſome thouſand miles.

The firſt time that his attention to certain imputations was more particularly excited, was in the month of April 1777. He was at that time at Tanjore, and received, by means of a friend at Madras, the copy of a pamphlet or caſe drawn up on Lord Pigot's part, which had been printed with great ſecrecy in India, to be forwarded to this country.

By the firſt conveyance, after he had ſeen that pamphlet, I received a letter from my Brother, wherein, amongſt other things, he particularly gives an account of what paſſed in the Council-room on the evening of the 24th of Auguſt, immediately before the arreſt took place; and the account there given, expreſsly contradicts the declarations, imputed by Lord Pigot's friends to Colonel Stuart, during the courſe of that interview in the Council-room. What he ſays to me in his private letter on this ſubject, which I am ready to ſubmit to your peruſal, is in theſe words:

" As to what is *falſely ſaid* of my having given my honour to obey
" the orders of Lord Pigot's faction, I truſt, that, independent of my
" own aſſertion being full as good as the aſſertion of Mr. Ruſſel ſo
" nearly connected, the evidence of Mr. Sullivan, who was preſent,
" and then acting as Secretary, will be more than ſufficient to overturn
" the calumny; but if I may be believed to have any memory, or to
" be poſſeſſed of common ſenſe, or conſiſtency of conduct, none who

" know

" know me as ſuch can poſſibly think, that the man who wrote and de-
" livered the letter the morning of that memorable day, the 24th of
" Auguſt (of which you have a copy), could poſſibly make ſuch a
" declaration the ſame evening.

" Very true it is, indeed, that the members of Lord Pigot's faction
" had ſummoned me to meet them in order to croſs-queſtion, and if
" poſſible, commit and entrap me in ſome ſnare; and as I had no pre-
" vious notice of their intention, it required the utmoſt effort of
" caution and prudence in me to elude their intentions. At the
" preciſe time of this fiery ordeal, the ſecret was in the power of near
" fifty perſons, including the parties at that very moment poſted on
" the road to the Garden-houſe under the Adjutant-general, and Cap-
" tain Lyſaught; the commanding officer of the artillery at the Mount,
" had alſo orders to receive him; the Commandant of the Fort had
" likewiſe agreed to receive my orders on every emergency; Lord
" Pigot's chaiſe was at the door; what then was for me to do, at
" that moſt critical period? Had I bluntly contradicted their aſſertions,
" with regard to their legal powers, or in direct terms refuſed to obey,
" the Settlement muſt have been involved, together with myſelf and
" the Gentlemen who obeyed my orders from a ſenſe of their duty, in
" ſcenes of the greateſt horror; for Lord Pigot, as was natural to
" ſuppoſe, was reſolved to have remained in the Fort, and to have
" exerted every authority given him by his military commiſſion; and I
" was equally reſolved to have carried him by force from thence to the
" Mount, at the riſk of falling in the attempt. What other line could
" a man of common prudence or humanity follow, than that which I
" I did, viz. neither aſſerting nor denying their propoſitions, but ap-
" pearing, as I really did, paſſive on the occaſion. It was a trial of
" ſkill, which laſted at leaſt three quarters of an hour. Inſtead of ſelf-
" condemnation, the retroſpect of the part I acted at that time affords
" me the greateſt ſatisfaction, becauſe, under Providence, to that is
" owing, what the annals of hiſtory will not produce, viz. ſo univer-

" ſal

" ſal a change being brought about ſo ſuddenly and without any indi-
" vidual being hurt in his perſon."

But there is one circumſtance, which does not fall within the deſcription of expreſſions or converſations, liable to be miſtaken, and it is that which of all others has made the moſt noiſe, and excited the greateſt prejudice againſt Colonel Stuart in this buſineſs, the circumſtance of his *accompanying Lord Pigot in the chaiſe* at the time when he was arreſted.

That Colonel Stuart did accompany Lord Pigot in the chaiſe from the Fort to the place where he was arreſted, on the 24th of Auguſt, which was about 700 paces from the fort of Madras, is certainly true; and I have no heſitation to ſay, that ſince Lord Pigot was to be arreſted, I moſt ſincerely wiſh that it could have been accompliſhed without Colonel Stuart's attending him in the chaiſe, ſuppoſing that practicable with equal ſafety to his Lordſhip's perſon, and to the peace and ſecurity of the ſettlement: for I do own, that to perſons at a diſtance from the ſcene of action, this circumſtance carries, upon its firſt appearance, ſomething very diſagreeable and unfavourable for the perſon who was placed, or placed himſelf, in that ſituation.

I have no right to be ſurpriſed that it ſhould have excited, in the early ſtages of this buſineſs, a conſiderable degree of prejudice againſt Colonel Stuart, ſince even the relation and friendſhip between him and me did not at that period totally exempt me from the influence of the ſame prejudices.

At the time when theſe prejudices moſt prevailed, which was upon the arrival of the firſt accounts of the unhappy diſturbances at Madras, no perſon in this country was ſupplied with proper information as to the motives of Colonel Stuart's conduct in that particular; nor was there any allowance made for the conſiderations of a public nature, which might have induced him to take this ſtep of attending Lord Pigot in the chaiſe, even at the riſque of temporary impreſſions to the prejudice of his character as a private man.

I do

I do not mean, however, to enter into the diſcuſſion of any abſtract unneceſſary queſtions; nor ſhall I attempt to mark out the preciſe line to be purſued, where the duties which one owes to the public, are to be put in competition with thoſe which a man may fairly be ſuppoſed to owe to himſelf.

Theſe are queſtions of delicate diſcuſſion, and whether decided in one way or the other, there are ſo many hazards that general maxims upon ſuch topics may produce miſchief to ſociety rather than utility, that it is perhaps better to avoid, than to embrace any opportunity of abſtract reaſoning upon them.

But this I may venture to affirm, that when the conduct of any man is unfortunately diſtracted by contradictory obligations, and when the duties he owes to the general intereſts of the ſtate, or to that particular body of men, in whoſe ſervice he is employed, happen to interfere with the attention due to his own private character and reputation; the deciſion in ſuch an alternative muſt be truly diſtreſſing. A plauſible ground will always remain for cenſure and diſapprobation, and, as has happened in Colonel Stuart's caſe, men will impute to the errors of conduct what aroſe from the difficulties of ſituation.

Inſtead, therefore, of entering into the diſcuſſion of any general queſtion, I ſhall only beg leave to ſtate the particular ſituation in which Colonel Stuart found himſelf, at the time when it appeared to him of eſſential conſequence that he ſhould accompany Lord Pigot in the chaiſe,—to point out the hazards which might have enſued if this mode had not been adopted,—and to endeavour to correct the errors and miſrepreſentations which attended the firſt editions of this ſtory; for in the accounts at firſt circulated, circumſtances of friendſhip and connection between Lord Pigot and Colonel Stuart, and of treacherous deceits practiſed upon his Lordſhip, were ſuperadded to the fact of Colonel Stuart's accompanying him in the chaiſe, and theſe miſrepreſentations no doubt contributed greatly to excite the violence that at firſt appeared againſt Colonel Stuart.

After performing this propoſed taſk, I ſhall not preſume to offer any opinion of my own, but leave it to you, Gentlemen, to form your own judgment upon this part of Colonel Stuart's conduct.

Whatever degree of management or addreſs, Colonel Stuart may have employed in the arreſting Lord Pigot's perſon, and obtaining poſſeſſion of the fortreſs, I preſume that I may be allowed to take it for granted in the firſt place, that no one at all acquainted with Colonel Stuart's character, or the incidents of his life, will ſuppoſe that his conduct upon this occaſion was ſuggeſted or regulated by the motives of attention to his own perſonal ſafety; his military ſervices, and even the acknowledgment of his enemies, leave no room to queſtion his perſonal courage and intrepidity.

There can hardly be a doubt in the mind of any man, that the meaſure of arreſting Lord Pigot privately, in preference to the other alternative of ſecuring his perſon in an open and violent manner, proceeded from a deſire of not occaſioning the loſs of lives, and of preventing any tumults and confuſion in the ſettlement; and it may not be aſſuming too much to add, that it proceeded alſo from a deſire to avoid any chance of injury to Lord Pigot's perſon. The only queſtion is, whether, in the accompliſhment of theſe purpoſes, Colonel Stuart employed more addreſs, than is juſtifiable, even for the attaining any great public objects.

It ſeems to be generally agreed, that ſince Lord Pigot was in all events to be arreſted, it was much more proper that his arreſt ſhould be accompliſhed in a private manner, without noiſe or diſturbance, than that the hazard ſhould be incurred of any tumult or ſcuffle, by an open and violent arreſt. This preference of *a private arreſt*, includes in it an approbation of ſome degree of management, ſome addreſs or ſurpriſe in the accompliſhment of the buſineſs recommended to the executive officer; for without theſe it ceaſes to be of the nature of a private arreſt, the very object of which is to lay hold of the perſon to be arreſted, when unſuſpecting any ſuch intention againſt him, and unprepared for reſiſtance.

So far at leaſt then is clear, that it ought not to create any prejudice againſt Colonel Stuart, that he ſecured Lord Pigot's perſon when unprepared for reſiſtance, and without any ſuſpicion of what was intended.

This may afford an anſwer to a conſiderable part of the outcry which was raiſed by the undiſtinguiſhing multitude, who were affected by the contraſt drawn, and by the pathetic deſcription given of Lord Pigot, unprepared for defence, and free from ſuſpicion; while he, Colonel Stuart, had ſettled in his own mind the plan which he was to purſue, and ſo conducted himſelf, that Lord Pigot could form no ſuſpicion of the event that awaited him.

Even if Colonel Stuart had been on terms of great intimacy or friendſhip with Lord Pigot, the very reverſe of which I beg leave to obſerve, was the fact, it will probably be allowed by thoſe who attend to the circumſtances of the reſpective ſituations of Lord Pigot and Colonel Stuart, at that time, that it would have been a blameable inſtead of a praiſe-worthy action on Colonel Stuart's part, if he had not concealed from his Lordſhip the orders he had received, and the means by which he propoſed to carry them into execution; for in judging fairly upon this point, it muſt be taken into conſideration, that Colonel Stuart was not only convinced of his duty to obey that order with fidelity and ſecrecy, but at the ſame time convinced that the ſafety of Lord Pigot's perſon, and the preſervation of many lives, depended upon his Lordſhip's having no ſuſpicion of what was intended.

That the merit or demerit of theſe ſteps of concealing from Lord Pigot the intended arreſt, and of attending him in the chaiſe, may be fairly appretiated, it is neceſſary, that they ſhould be ſeparated from thoſe additional circumſtances, which were artfully interwoven with the firſt accounts of this tranſaction, and having ever ſince accompanied the criticiſms on Colonel Stuart's conduct, they have been one of the principal means of carrying to ſuch a height the prejudices againſt him.

It was ſaid, that Colonel Stuart, at the time of theſe tranſactions, as in habits of friendſhip and intimacy with Lord Pigot, and even poſſeſſed a conſiderable ſhare of his confidence; that he was under obligations to Lord Pigot, or at leaſt was courting his favour and confidence, that he had invited himſelf to ſup with Lord Pigot on the 23d of Auguſt, and to breakfaſt, and then to dinner and ſupper with him on the 24th, the day of the arreſt; and that all this was done ſolely with a view of *betraying his friend.*

This, to be ſure, was a very unfavourable repreſentation for Colonel Stuart, and it is not ſurpriſing that it ſhould have excited a warm indignation againſt him;—it will now, however, appear that not one of the above particulars has the leaſt foundation in fact.

That Colonel Stuart was in no habits of friendſhip or intimacy with Lord Pigot, at or about the time of theſe tranſactions, is a fact not only aſſerted by Colonel Stuart, in the various letters received from him, but was known almoſt to every perſon at Madras; and there are ſeveral Gentlemen from India, now in London, both in the civil and military departments of the Company's ſervice, who can atteſt the truth of theſe aſſertions.

But, independent of any other teſtimony, the records of the Company afford ſatisfactory evidence upon this point. It there appears, that Lord Pigot, for a conſiderable time before the incidents of the 23d and 24th of Auguſt 1776, had been in a courſe of thwarting and oppoſing every plan that had been propoſed by Colonel Stuart's friends, with a view to his being eſtabliſhed in a particular military command, which from his rank in the ſervice, from the importance of the command, and from the opinion of the Commander in Chief, Colonel Stuart was thought to have a good title to expect.

From the 25th of June 1776, upon which date Sir Robert Fletcher propoſed at the Council Board, that Colonel Stuart ſhould be appointed to the command of Tanjore, to the 22d of Auguſt 1776, when Lord Pigot ſuſpended two of the counſellors, for ſigning an order to the Se-

cretary, directing him to ſign the inſtructions to Colonel Stuart, as Commander of Tanjore; Lord Pigot was conſtantly in oppoſition to the propoſed appointment of Colonel Stuart to that command, and it was the diſpute between the Majority and his Lordſhip, in relation to theſe inſtructions to Colonel Stuart, that brought matters to a criſis between them on the 22d of Auguſt, which, it is material to obſerve, was but two days before the arreſt of Lord Pigot.

By attending to this fact, and to theſe dates, every man muſt be convinced, that there were no apparent habits of friendſhip between Lord Pigot and Colonel Stuart at or about the time when the Colonel, in obedience to the orders which he received from the Majority of Council on the 23d of Auguſt, concerted and executed the plan for arreſting Lord Pigot's perſon; at leaſt, the ſtrong and marked oppoſition which Lord Pigot, had given during the courſe of many weeks, to Colonel Stuart's obtaining the command at Tanjore, was either a ſymptom of their being on bad terms, or a circumſtance not likely to produce much cordiality and friendſhip between them.

The other imputation of Colonel Stuart's courting Lord Pigot's favour, will be found equally unjuſt and injurious.

Inſtead of Colonel Stuart's courting Lord Pigot, for the command of the army, it has already been ſhewn that he declined that command in July 1776, when Lord Pigot, wiſhing to get rid of Sir Robert Fletcher, offered the command in chief to Colonel Stuart, then ſecond in command; from that time till the 23d of Auguſt there was no intercourſe between Lord Pigot and Colonel Stuart, nor were they in any habits of friendſhip or intimacy.

With reſpect to the tranſactions and conferences between them on the 23d and 24th of Auguſt, they exhibit an uncommon and ſingular ſcene, in which there appears ſomething very different indeed from Colonel Stuart's attempting to inſinuate himſelf into the good graces of Lord Pigot and his friends. Inſtead of Colonel Stuart's courting Lord Pigot, it is evident that Lord Pigot was courting Colonel Stuart; ſenſible of

the importance of gaining him over to their intereſts, Lord Pigot and his friends were at that very time not only endeavouring to perſuade him to act as Commander in Chief, but uſing every effort and addreſs to obtain from him ſome expreſs or implied acknowledgment that he had accepted of that command; while he, on the other hand, thus beſet, was very much puzzled how to avoid this proffered honour, and at the ſame time not to divulge the ſecret of the orders he had received from the Majority of Council, which he thought himſelf indiſpenſably and conſcientiouſly bound to obey.

Colonel Stuart's preſence at the ſupper on the evening of the 23d, and at the breakfaſt and dinner on the 24th, at Lord Pigot's houſe, have alſo been converted into charges againſt him.——They happened merely as the accidental and natural conſequences of the intercourſe which was brought on in the courſe of theſe two days, at Lord Pigot's deſire, that he might have a more favourable opportunity of uſing every effort to prevail on Colonel Stuart to accept the command in chief.

Had it not been for this circumſtance, Colonel Stuart, who had not dined or ſupped with Lord Pigot during ſeveral weeks, and who, in that interval, had met with no new inducements to increaſe his deſire of intruding upon his Lordſhip at his convivial hours, would certainly not have partaken of his repaſts on the 23d and 24th of Auguſt, and it is now well aſcertained that he did not intrude himſelf, but *was invited*; and particularly it appears, that when he accepted of Lord Pigot's invitation to ſup with him on the 23d, he (Colonel Stuart) added this condition to the acceptance of the invitation, " that there ſhould be " nothing of buſineſs talked of."

As to the dinner on the 24th, whether Colonel Stuart invited himſelf, or was invited, though the fact is, that he went there by invitation, it is really of little conſequence; for at Madras it is cuſtomary for the officers, and in general for every perſon in a certain rank, to dine with the Governor, who keeps an open table; and the partakers of the

dinner are ſo very numerous that it is no mark of particular intimacy or friendſhip for a man either to be invited, or to come uninvited upon ſuch occaſions.

With regard to the propoſed ſupper at the Garden-houſe on the evening of the 24th, which did not take place, it was at firſt poſitively aſſerted in this country, that Colonel Stuart had invited himſelf to that ſupper, and much emphaſis was put upon that, as well as upon the other ſuppoſed ſelfinvitations; but it has ſince appeared from Lord Pigot's own letter to the Directors, dated the 3d of September 1776, that the invitation came from his Lordſhip, whoſe words in that letter are: "After dinner I invited him to ſupper at the Company's Garden-"houſe, which invitation he accepted."

That you may perceive the authority I have for contradicting the aſſertions, not only with reſpect to Colonel Stuart's intruding himſelf upon Lord Pigot at his convivial hours, but alſo as to his being on terms of intimacy or friendſhip with his Lordſhip about the time of the arreſt, I beg leave to inſert the paragraph of a letter which I received from Colonel Stuart, of ſo old a date as 13th December 1776. It is in theſe words:

"It has likewiſe been given out by my enemies, that I was at the "time in the greateſt habits of intimacy with him (Lord Pigot), and "approved of his meaſures. The fact is directly the contrary; for "we had not been on ſpeaking terms for a very conſiderable time be-"fore, and I had not dined at his houſe from the latter end of June "until the 24th of Auguſt, that he aſked me to dine, as is uſually the "caſe when any one breakfaſts with the Governor, and the occaſion "of my breakfaſting was the delivering a letter of which I ſent you a "copy."

It remains now to ſtate what relates to the fact of Colonel Stuart's accompanying Lord Pigot in the chaiſe to the place of arreſt; ſeparated from thoſe miſrepreſentations concerning his friendſhip and intimacy with Lord Pigot, which have hitherto conſtantly attended the mention of that fact.

It

It was on the 23d of Auguſt that Colonel Stuart received the orders from the Majority of Council, to put them in poſſeſſion of the fortreſs and garriſon of Fort St. George, and to arreſt Lord Pigot. Colonel Stuart accordingly took his meaſures for ſeizing the fortreſs, and for arreſting the perſon of Lord Pigot, even in the Fort, if it could not be otherwiſe accompliſhed; but he foreſaw that this might be attended with very diſagreeable and fatal conſequences.

It therefore became a moſt natural and meritorious wiſh, on Colonel Stuart's part, that the moſt effectual means ſhould be uſed to avoid theſe conſequences; there was little time left for deliberation, nor could the matter be allowed to hang over in ſuſpence, in expectation of any accidental opportunities of arreſting Lord Pigot's perſon in a private manner, for the ſecret of the orders ſigned by the ſeven Members of the Majority was already in many hands.

On the 24th of Auguſt, Colonel Stuart having learnt that Lord Pigot intended to ſup that evening at the Company's Garden-houſe, it occurred, that this was an opportunity not to be neglected; and that it afforded the beſt, if not the only chance of arreſting Lord Pigot in a private manner, without tumult or bloodſhed. It was therefore reſolved, that Lord Pigot's carriage ſhould be ſtopped, and his perſon ſecured, when on the road from Madras to the Garden-houſe.

The execution of the plan was intruſted to three officers of diſtinguiſhed rank and merit in the Company's ſervice, Colonel Eidington, the Adjutant-General, Captain Lyſaght, commanding officer of a battalion of Sepoys, and Major Horne, who commanded the artillery at the Mount; and their inſtructions were, to conduct Lord Pigot to Major Horne's houſe at the Mount, there to be under the charge of that officer, and to be treated with every poſſible mark of perſonal attention and reſpect.

The place where Lord Pigot was to be arreſted was very near both to the Fort and town of Madras, and to the Sepoy guard at the Garden-houſe. The total diſtance from the Fort to the Garden-houſe

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is ſomewhat leſs than a mile, and the place choſen for the arreſt was not three quarters of a mile from the Fort, and not 200 yards diſtant from the barracks of the Governor's guard at the Garden-houſe, which is the place of his reſidence, and where there is always a conſiderable part of a battalion of Sepoys for the Governor's guard. In theſe circumſtances it was not eaſy to foreſee what incidents might poſſibly ariſe to obſtruct or prevent the arreſt in the event of Lord Pigot's making reſiſtance, nor was it eaſy to guard againſt the fatal conſequences that might be produced by a ſcuffle enſuing, where an alarm might ſo ſpeedily be ſpread.

Colonel Stuart having given poſitive orders to Colonel Eidington and Captain Lyſaught, to arreſt Lord Pigot that evening, theſe officers would have thought themſelves peremptorily bound in all events to have obeyed theſe orders; nor could they have taken it upon them, if their commanding officer was not preſent, to vary the orders, or the execution of them, as circumſtances might require.—This was one ſtrong inducement to Colonel Stuart to be preſent, and for that purpoſe to accompany Lord Pigot in the chaiſe that evening;—Colonel Stuart being the commanding officer, who had given the orders, he was the only perſon who could adapt the execution of them to the exigency of ſuch circumſtances as might occur; for, in critical affairs of this nature, it often happens that unexpected circumſtances beyond the reach of human foreſight ariſe in a moment, ſufficient to baffle the beſt concerted plan, unleſs the remedy be as inſtantly applied.

It occurred alſo to Colonel Stuart, that his being in the ſame chaiſe with Lord Pigot, would more eaſily prevent the confuſion which would probably take place from his Lordſhip's attempting to drive his horſes paſt the officers who were ordered to arreſt him, and who were on foot, and in the event of a ſcuffle might very probably have fired into the chaiſe.

No ſituation can be imagined in which more reaſons could concur, for ſtudying every precaution that could poſſibly tend to prevent any alarm, ſtruggle, or confuſion; for if the plan of arreſt had failed

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in the execution that night, *the very attempt*, whether defeated by reſiſtance and the loſs of lives, or by Lord Pigot's eſcaping from thoſe who had been ordered to arreſt him, muſt have been productive of the greateſt confuſion, and have involved the ſettlement in all the horrors of a civil war.

In ſhort, it appeared to Colonel Stuart at that time, and he ſtill continues of the ſame opinion, that it would have been unpardonable in him in his ſituation to ſuffer the apprehenſion of the commentaries which malice, or miſtake, might ſuggeſt, to have outweighed the importance of the various objects and motives of a public nature, as well as the conſiderations of humanity for Lord Pigot himſelf, and for others, which concurred to excite him to this ſtep of attending his Lordſhip in the chaiſe to the place of arreſt.

If the events ſubſequent to the arreſt had ſhewn that Lord Pigot, by Colonel Stuart's attending him in the chaiſe, had been brought into a ſnare which would not otherwiſe have happened;—if the object of it had been to affect his life, or even to expoſe him to more perſonal injury;—or if it had appeared that Colonel Stuart could have been actuated to this particular mode by ſiniſter views or motives of ſelf-intereſt, and was to receive any perſonal benefits from accompliſhing the arreſt in this manner; in all or either of theſe caſes, Colonel Stuart admits that the circumſtance of his attending Lord Pigot in the chaiſe ought to be viewed in a very exceptionable light, and to receive every unfavourable interpretation which either has been, or can be beſtowed upon it.

But he apprehends that the reverſe of all theſe injurious ſuppoſitions have been eſtabliſhed beyond the poſſibility of doubt.

I ſhall here beg leave to tranſcribe the paragraph of a letter dated the 14th of September 1777, which I received a conſiderable time ago from my Brother, the original of which is at your command; and what I am now to tranſcribe, will ſerve alſo for the purpoſe of refuting the very unjuſt imputation endeavoured to be fixed upon Co-

lonel Stuart's character, by thoſe who pretended to believe, or attempted to perſuade others, that in the moment of the arreſt, Colonel Stuart, by his expreſſions and manner, had behaved harſhly and even brutally to Lord Pigot.

The paragraph is in theſe words:

" I again and again repeat, that no other way than what I followed, " ſuggeſted from the moſt tender regard to humanity, and to the " ſafety of Lord Pigot's own life, could have effected this arreſt with- " out confuſion or bloodſhed. In the letter I wrote ſeveral weeks ago, " I have entered particularly into the mode of my ſeizing Lord Pigot, " in anſwer to the paper printed here; I ſhall here add, and declare the " ſame before God, that not an uncivil or improper word fell from my " mouth on that occaſion. When the Adjutant-general ſtopped the chaiſe, " in which I was along with Lord Pigot, he (Lord Pigot) made a ſhort " pauſe, and was looking about him; we were then in the middle of " the road, at a very ſmall diſtance from the Sepoy-guard at his Gar- " den-houſe, and many ſervants round the chaiſe, and many people " paſſing in the road.—The moment was critical, not only becauſe the " leaſt noiſe extraordinary would have alarmed, but what is particular, " as the reins were in his hands, and the horſes very ſpirited, he might " have forced them on, in ſpite of me, and the certain conſequence " would have been his getting home; and myſelf, with all the officers or " others, who, with me, thought it our duty, to obey the Majority as the " legal government, muſt have been diſmiſſed the ſervice, or tried for our " lives. This led me, on obſerving a kind of heſitation to obey on " the part of Lord Pigot, forthwith to ſeize the reins with one hand, " and put my other hand to his arm: to the beſt of my recollection, " the preciſe words I made uſe of were, " *My Lord, you muſt go out.*" " They were uttered, not in a brutal or contemptuous tone of voice, " but with the tone of reſpect as well as anxiety.—Lord Pigot then " inſtantly went out, without my ſaying one word more, or his making " any anſwer."

In

In another letter, wrote by my Brother to me from Tanjore, in May 1777, there are the following paragraphs on the ſubject of Lord Pigot's arreſt:

" I choſe to obey, what I judged from common ſenſe, and what the " Governor-general and Council has ſince eſtabliſhed to be, the only le- " gal government. I have ſaid that it was at a great riſque that I did this; " becauſe every thing that has happened to me would have come to me " in courſe, and by the Company's orders, without any riſque at all, had " I feigned ſickneſs, or remained an unconcerned ſpectator; but in " truth, I loſt my health, and gained nothing in other reſpects by the " change, except the ſatisfaction of having done my duty; and there- " by, I hope, deterred others from innovating or overturning the eſta- " bliſhed law or conſtitution of Government.

" I know the perſonal reflections of my enemies upon the occaſion; " but as it can never be ſaid that perſonal fear or apprehenſion in- " duced me (under the appearance of going to his, Lord Pigot's, " country-houſe) to have a place in the chaiſe with him, and to make " that an eſſential part of my plan; I obſerve, that as that cannot be " aſſerted with reſpect to me, who had the army under my abſolute " command, and who had actually given my orders to take him by " force from the Fort, or wherever he was, had no opportunity " offered of my going in the chaiſe with him, the unprejudiced Public, " in judging of this act, will, I hope, therefore, do me the juſtice to " infer, that it was from motives of humanity, to prevent bloodſhed " and public diſaſter, and for the perſonal ſafety of Lord Pigot."

I ſhall conclude what relates to this ſubject, by barely mentioning the ſtrong and marked approbation, which the whole of Colonel Stuart's conduct, at that difficult criſis, received from the Governor-general, the Commander in Chief, and Supreme Council in Bengal, to whom a ſuperintending power over all the Company's ſettlements in India, both in matters civil and military, was delegated by the authority of Parliament.

That

That Supreme Council had the beſt opportunities of being particularly and impartially informed of all the facts, and circumſtances, which gave occaſion to, which preceded and accompanied the arreſt of Lord Pigot, and after receiving the fulleſt information from both parties, and from Lord Pigot himſelf, they gave their complete approbation, not only of the reſolution taken by the Majority of Council at Madras, of aſſerting their rights, and aſſuming the government, but of the mode in which that reſolution had been executed.

The letters of Sir John Clavering, of the 15th, and of Governor Haſtings, of the 18th of September 1776, which were publiſhed when theſe diſputes were recent in this country, prove that, beſides a general approbation in Council, they both gave great credit to Colonel Stuart, for the mode in which the orders of the Majority of Council had been carried into execution, *without bloodſhed, without tumult, and without the violation of one legal form.* Theſe are the words of Governor Haſtings' letter to Mr. Stratton, wherein he expreſſes himſelf in the ſtrongeſt terms, conſidering it as a thing almoſt without example; and in the letter from Sir John Clavering to Colonel Stuart, of the 15th of September, there is not only an approbation of his conduct, but, in terms the moſt flattering, Sir John Clavering gives him applauſe for the *honour* of conducting *ſo difficult and dangerous a buſineſs*, and for the *ſpirit* and *magnanimity* with which he had executed it.

It is well known, that no man could poſſibly poſſeſs a higher ſenſe of honour, as well as of propriety and delicacy of conduct, than the late Sir John Clavering; and when we ſee that ſuch diſtinguiſhed marks of approbation were beſtowed by him upon Colonel Stuart, for the whole of his conduct, it ought at leaſt to go a great way in counteracting the prejudices which have been ſo induſtriouſly ſpread, and to ſatisfy the world, that, in the mode of arreſting Lord Pigot, and of carrying the orders of Council into execution, there had been nothing done that was in any degree improper or unbecoming the character of an officer and a gentleman; becauſe, had it been otherwiſe, the ſtrictneſs of Sir John Clavering's ſentiments, and the

nice delicacy of his feelings upon every point of honour, would have him to be more forward than any one in his cenſure and diſapprobation.

To confirm the weight due to the teſtimony of ſo reſpectable and honourable a man as Sir John Clavering, I can prove by letters in my poſſeſſion, that after full information of what had paſſed at Madras, and after knowing the outcry raiſed againſt Colonel Stuart by one party, Sir John Clavering continued his approbation of Colonel Stuart's conduct, and honoured him with the moſt ſincere friendſhip and confidential correſpondence till the lateſt period of his life.

I am ſenſible, Gentlemen, that I require many apologies for taking up ſo much of your time in the diſcuſſion of what relates to the mode of arreſting the perſon of Lord Pigot, and the circumſtances immediately preceding; but I truſt, that I ſhall meet with ſome indulgence, when it is conſidered how violently my Brother's character and conduct have been attacked on this point, and when it is alſo considered what ſeverities and hardſhips he has experienced, in conſequence of the imputations againſt him, made at a time when, from the diſtance of place, there was no opportunity of his being heard in his own defence.

All theſe ſeverities I muſt place to the account of the rage and prejudices raiſed againſt him on account of the *mode of arreſt*; becauſe, independent of that, and of the circumſtances immediately preceding it, the propriety of Colonel Stuart's conduct neceſſarily depends upon this very narrow point,—Whether he ought or ought not to have obeyed the order of the Majority of Council; and whichſoever way men might decide that point in their own minds, a mere error in judgment on Colonel Stuart's part, ſuppoſing it to have been an error, could not have produced the rage, prejudice, and obloquy, which have brought upon him ſuch grievous ſeverities and hardſhips.

Having

e puniſhments d hardſhips tained by lonel Stuart, conſequence of ſ diſturbances Madras.

Having given ſo full an account of Colonel Stuart's conduct in conſequence of the orders he had received from his Superiors, and having ſhewn the motives as well as the conſequences of that conduct, I hope I may now be permitted to put the queſtion, What crime has Colonel Stuart been guilty of towards you, Gentlemen, his Honourable Employers, or againſt the Intereſts of the Eaſt-India Company?

If the crime is to be judged of from the nature and extent of the puniſhments inflicted, it muſt have been a crime of great magnitude indeed, and ſuch as could not eaſily be atoned for.—A ſhort review, therefore, of the puniſhments and hardſhips he has ſuffered, becomes abſolutely neceſſary, and will clearly evince the truth of this propoſition.

In conſequence of the firſt reports brought to England in the year 1777, of the tranſactions at Madras in Auguſt 1776, Colonel Stuart was ſuſpended the Company's ſervice for ſix months; the general letter which contained this order of ſuſpenſion, was carried out by Mr. Whitehill, who arrived at Madras in Auguſt 1777; the order of ſuſpenſion was immediately intimated to Colonel Stuart, who, by the death of Sir Robert Fetcher, in the month of December preceding, had attained the ſituation of Commander in Chief, and the rank of Brigadier-general in the Company's ſervice; to both of which he ſucceeded in conſequence of an agreement with the Eaſt-India Company before his departure for India.

Immediate obedience was given on the part of Colonel Stuart, to the will and pleaſure of his Honourable Maſters, and he was deprived of the command of the army, which, for many months preceding, he had been making every exertion to improve and to put on the moſt reſpectable footing.

Colonel Stuart was not only thus ſuſpended without any trial, without any ſpecific crime or charge being alleged againſt him in the order for ſuſpenſion, but he was ſuperceded in the command, by the appointment of another officer, Colonel Monro, who was ſent from England on purpoſe to take the command of the army at Madras.

The ſuperceſſion of Colonel Stuart by a younger, though a very deſerving officer in his Majeſty's ſervice, was, according to the military *etiquette*, an additional circumſtance of mortification, eſpecially as the new Commander in Chief, Colonel Monro, obtained at once the rank of Major-general in the Company's ſervice.

This ſuperceſſion was not for a limited time; as General Monro's commiſſion was unconditional and abſolute, without reference to the reſult of any future inquiries or trials in relation to Colonel Stuart's conduct; ſo that he had before him the melancholy proſpect of being *certainly* puniſhed and degraded at all events, whether innocent or guilty: indeed, the only caſe that was at all in contemplation or provided for, was that of his being *guilty and deſerving of puniſhment*; but no ſort of proviſion was made, no care whatſoever was taken of him, in the event, that, upon inquiry or trial, he ſhould be found to have been *innocent*, or to have *acted meritoriouſly* for the intereſts of the Company.

The general letter of the Company, ſent by the Beſborough in July 1777, continued Colonel Stuart's ſuſpenſion, and directed that his conduct ſhould be examined into by a Court of Inquiry, and that he ſhould he tried by a Court-martial; but in caſe he had been guilty of no military offence that was cognizable by Martial Law, then it was ordered that his ſuſpenſion from the ſervice, inſtead of being taken off, as one might reaſonably expect, ſhould be continued indefinitely, and without limitation of time.

Such are the directions which have been ſent from this country with reſpect to Colonel Stuart; and it may be proper before ſtating

what paſſed at Madras, in conſequence of the lateſt of theſe directions, reſpecting the trial by a Court-martial, to mention ſome of the intermediate hardſhips which he ſuffered in India, by the means of vexatious ſuits, both of a Civil and of a Criminal nature, brought againſt him at Madras, in conſequence of the tranſactions of the month of Auguſt 1776.

Upon the 14th of October 1776, a Bill was filed in the Mayor's Court at Madras, by Lord Pigot againſt Colonel Stuart, for damages, to the amount of 200,000 l., on account of the arreſt of his perſon on the 24th of Auguſt: and his Lordſhip's Attorney having appeared and made affidavit, that he believed Colonel Stuart was about to withdraw himſelf from the juriſdiction of the Court, he therefore prayed that a warrant of arreſt might be iſſued. Colonel Stuart having appeared by his Attorney, the Court, by a majority of five to four, ordered bail to be found to the extent of 15,000 l. which was diſſented from by ſome of the Members as exceſſive.

At the ſame time, in October 1776, a Bill of complaint was filed in the Mayor's Court, by Mr. Ruſſel, againſt Colonel Stuart, for damages, to the amount of 40,000 l., founded on his forcibly carrying Mr. Ruſſel from the Parade to the Conſultation-room, on the 24th of Auguſt, in the manner already related. Mr. Ruſſel's Attorney having made a ſimilar affidavit with Lord Pigot's Attorney, and prayed for a warrant to arreſt Colonel Stuart, the Mayor's Court was pleaſed to order him to find bail in this action likewiſe, to the amount of 4000 l.

As the Mayor's Court was thought to be very partial in theſe proceedings, and that the amount of the bail thus ordered by them was, in the circumſtances of the caſe, judged to be exceſſive, Colonel Stuart was adviſed to carry the cauſe immediately from that Court by appeal to the Governor and Council.

In his reaſons of appeal he gave anſwers to the various articles contained in theſe Bills of complaint againſt him, and maintained that he was in no reſpect reſponſible for the meaſures which, as acting in obedience

obedience to the orders of his ſuperiors, both civil and military, he had carried into execution, that it was therefore highly vexatious and oppreſſive to diſtreſs him by theſe ſuits, or by an order for bail ſo exorbitant and exceſſive, that it was even greater than what the ſame court had obliged the Commander in Chief, Sir Robert Fletcher, to find in a ſimilar action brought by Lord Pigot againſt him, for the like ſum of 200,000 *l.* damages.

Colonel Stuart further averred, that he had no intention of withdrawing himſelf from the juriſdiction of the court; and that, all circumſtances conſidered, ſo far from being ſubjected to *exceſſive bail* in both theſe caſes, he ought not to be put to the hardſhip and inconvenience of finding any bail in either.

With reſpect to Mr. Ruſſel's action, Colonel Stuart gave this additional anſwer, that the ſituation in which he, Mr. Ruſſel, was found, on the evening of the 24th of Auguſt, exciting the troops in the garriſon to mutiny and ſedition, which, if not inſtantly checked, might have been of very fatal conſequences, had put Colonel Stuart under the abſolute neceſſity of forcing Mr. Ruſſel from the main-guard.

The matter was carried firſt from the Mayor's Court by theſe appeals to the Governor and Council, who declined taking any cognizance of it, as they had been parties intereſted in the buſineſs which gave riſe to the actions. Colonel Stuart therefore afterwards appealed to the King and Council in England.

But theſe were not the only actions by which he was vexatiouſly and unneceſſarily haraſſed for obeying the orders of his Superiors. He was one of thoſe againſt whom the proceedings of the Coroner's Inqueſt, aſſembled at Madras upon the death of Lord Pigot, were directed.

That Inqueſt aſſembled at Madras on the 11th of May 1777, the day on which Lord Pigot died, and continued their examinations and deliberations from that time till the 7th of Auguſt 1777; when, in the fervency of their zeal, they were pleaſed to pronounce one of the moſt notable and extraordinary verdicts, that in ſuch or any other circumſtances has appeared in the records of this or of any other country.

Mr. Ram, the Coroner, and his Inqueſt, pronounced and declared, " That *George Stratton*, *Henry Brooke*, *Charles Floyer*, *Archdale* " *Palmer*, *Francis Jourdain*, and *George Mackie*, in the civil ſer- " vice of the Eaſt-India Company at Madras, and *Brigadier-general* " *Sir Robert Fletcher*, *Colonel James Stuart*, *Lieutenant-colonel James* " *Eidingtoun*, Adjutant-general, and *Captain Arthur Lyſaught*, in the " ſaid Company's ſervice at Madras, and *Major Matthew Horne*, com- " manding the corps of artillery in the ſaid Company's ſervice, then " ſtationed at St. Thomas's Mount, did, in manner and by means " therein recited, *feloniouſly*, *voluntarily*, *and of their malice fore-* " *thought*, *kill and murder* the ſaid George Lord Pigot; and that a " *ſerjeant and ſepoys* therein deſcribed, and *certain officers and ſoldiers* " *belonging to the corps of artillery*, *and another ſerjeant* and *other ſe-* " *poys* ſtationed at the Garden-houſe, all of whom were to the Jurors " as yet unknown, were at divers times preſent, aiding, abetting, aſ- " ſiſting, and maintaining the ſaid George Stratton, Sir Robert " Fletcher, and the other perſons before named, to do and commit " the felony and murder aforeſaid."

What makes this verdict the more remarkable is, that it was not alleged, nor was there the moſt diſtant ſuſpicion of any ſort in India, that Lord Pigot had died an unnatural death, or that any means had been uſed with a view of occaſioning his death; on the contrary, the phyſicians who attended his Lordſhip during his illneſs, declared upon oath, that *diſeaſe* was the immediate cauſe of Lord Pigot's death, and that the *diſeaſe* was a *putrid bilious fever*, originating in a diſordered liver.

In the courſe of the evidence it alſo came out, that, to all outward appearance, Lord Pigot enjoyed an uninterrupted ſtate of good health, from the day of his arrival at the Mount, after his arreſt on the 24th Auguſt 1776, until the beginning of March 1777, about which time the appearance of his bilious fever firſt began, of which firſt illneſs, with the aſſiſtance of Doctor Paſley, his Lordſhip recovered in a great degree; but not having afterwards taken ſufficient care of himſelf, he had a relapſe, which carried him off on the 11th of May 1777.

Here

Here it is well worth obſerving, that during the whole period of Lord Pigot's illneſs, and at the time of his death, Colonel Stuart was abſent from the Preſidency of Madras, at the diſtance of ſome hundred miles from his Lordſhip; as he went to Tanjore, on the 11th of February 1777, at which time Lord Pigot was known to have been in perfect health, and did not return to Madras until the end of June that year.

Nevertheleſs Mr. Ram, and his Inqueſt, thought proper to pronounce a verdict of *wilful murder*, againſt Colonel Stuart, and the other Gentlemen, founded on artificial and metaphyſical reaſonings (delivered upon oath), from which they wiſhed to eſtabliſh a belief, that the arreſt of Lord Pigot, on the 24th of Auguſt 1776, and the agitation of his mind on that and ſubſequent occaſions, had, by the imperceptible influences of the mind upon the body, generated the diſeaſe of which his Lordſhip died in the month of May 1777.

The whole proceedings of that Inqueſt, and the evidence laid before them, together with Colonel Stuart's defence, drawn up by himſelf, in anſwer to the accuſations brought againſt him, have been lately printed and publiſhed; and I believe I may venture to ſay, that every impartial man of ſound judgment, who reads that publication, will be of opinion, that nothing could be more unjuſtifiable, and reprehenſible, than the conduct of that Coroner and his Inqueſt; the abſurdity of it would deſerve only to be laught at, if ſuch an attempt againſt the lives and reputations of a number of perſons of rank and character could be viewed without abhorrence and indignation.

Vexatious, contemptible, and ill-founded as theſe proceedings were, they had however the unavoidable effect of haraſſing Colonel Stuart exceedingly; they ſuujected him to a degree of public affront and opprobrium, from his being expoſed to the imputation of *wilful murder*, by the verdict of twelve men upon oath, ſix of whom however, at one time, voted that it was only *manſlaughter*, while the other ſix declared it *murder*; upon which the Coroner was pleaſed to remark, That *the matter muſt be re-conſidered*, and he afterwards prevailed on a Majority of them to agree in opinion that it was wilful murder.

This

This verdict was, upon the 24th September 1777, ſent by the Coroner to the Governor and Council of Madras, with a requeſt from the Coroner, to be aſſiſted in apprehending the perſons therein accuſed; upon which the Governor thought it regular for him at that time to ſign a warrant of commitment againſt Colonel Stuart, and the other perſons accuſed, directed to the Sheriff of Madras.

Colonel Stuart and the other Gentlemen were accordingly in the cuſtody of the Sheriff until ſome time in October following, when the Juſtices, after having examined Sir Edward Hughes and ſome other reſpectable witneſſes, judged it proper to admit the priſoners to bail, in the ſum of 10,000 l. each.

The proceedings and the examinations before the Juſtices were continued until the end of November 1777, when the Juſtices received from Bengal the opinions of the Judges of the Supreme Court of Judicature there, by which theſe Judges, upon conſideration of the facts, and of the proofs ſtated in Mr. Ram's inquiſition, declared their unanimous opinion, that there were not materials ſufficient for an indictment either of *murder* or *manſlaughter*, and they alſo, from other defects and irregularities in that inquiſition, gave their opinion, that it might be quaſhed or ſet aſide.

In conformity with this opinion received from the Judges of the Supreme Court of Judicature in Bengal, the Juſtices at Madras, upon the 26th of November 1777, declared, " That the ſaid proceedings were " irregular, and contrary to law. And reſolved, that the whole be " quaſhed and ſet aſide, and that the perſons accuſed be diſcharged " by proclamation."

Thus ended the malevolent and irregular proceedings of the Coroner's Inqueſt; from the ſhort ſtate of which it muſt appear, that Colonel Stuart, was for many months (during which time too he was in a bad ſtate of health from the conſequences of a bilious fever), very unjuſtifiably haraſſed by the charge brought and verdict given againſt him, and by having his name and character expoſed as guilty of ſo heinous a crime.

Amidſt

Amidſt all theſe diſtreſſes, however, one conſolation ſtill remained, Colonel Stuart comforted himſelf with the proſpect that he ſhould ſoon have an opportunity of vindicating his character and conduct in the courſe of a *regular trial*; when not only the orders under which he acted, but when likewiſe all the facts and circumſtances would be aſcertained by unqueſtionable evidence, and then he flattered himſelf, that the prejudices which had been raiſed againſt him would take an oppoſite direction, and that he ſhould meet with the redreſs due to an injured officer.

In this expectation, of a ſpeedy trial, and conſequent redreſs, he has alſo been diſappointed; for the orders which were carried out by the Beſborough for his trial by a Court-martial have not hitherto produced any effect. That trial, which he ſo ardently wiſhed for the vindication of his honour and character, has been denied him, by the Commander in Chief, and by the Preſident and Council of Madras; at the ſame time his ſuſpenſion has been continued, and he remains in that country waiting with impatience the return of the diſpatches ſent from Madras in the month of March laſt.

It is not my intention to impute blame either to the Commander in Chief or to the Preſident and Council of Madras, for the part they took in refuſing to Colonel Stuart his trial by a Court-martial; they have acted, no doubt, upon grounds which afforded conviction to their minds, and it is well worth obſerving that this refuſal was founded on opinions which were very far from containing any thing unfavourable to Colonel Stuart's conduct, but the very reverſe, for as far as they go they may be conſidered as preſumptive proofs of his innocence, at leaſt of his having committed no offence that was cognizable by martial law.

Their General Letter to the Court of Directors, dated the 14th of March laſt, ſhews how anxiouſly Colonel Stuart courted the opportunity of vindicating his conduct by a public trial. Paragraph 14th of that letter is in theſe words:

" General Stuart, as ſoon as he was furniſhed with a copy of " your Orders, and before we came to any reſolution concerning

" him,

" him, addreſſed three letters to us, all of them preſſing upon " us, in the moſt anxious manner, his deſire to be tried by a Court- " martial; and fearing leſt any doubts or difficulties ſhould occur to " us on the ſubject, he introduced ſeveral arguments to ſhew his right " to demand a Court-martial, and pointed out different articles in the " Articles of War by which he thought he might be tried. Although " his letters did not contain any reaſons of ſufficient ſtrength to in- " duce us to alter our opinions upon his caſe, yet the uneaſineſs of " mind expreſſed in them was ſuch, that we felt much concern for " the peculiar circumſtances of his ſituation."

The reaſons which induced the Preſident and Council and Commander in Chief at Madras to refuſe the trial by a Court-martial appear to have been founded upon prudential grounds, and upon a doubt whether a Court-martial were competent to decide upon a caſe which involved queſtions of nice diſcuſſion relative to the Company's conſtitutional government. This is expreſſed very clearly in the 10th paragraph of their General Letter above mentioned, which is in theſe words:

" The acts of arreſting and impriſoning the perſon of the late Lord " Pigot were ſufficiently clear; your diſapprobation of thoſe acts is " ſtrongly expreſſed in your late orders; but that diſapprobation does " not make them offenſive in the eye of martial law, and no charge " could be grounded upon it. In order to determine whether General " Stuart's conduct be criminal in that view, and before any charge " could be prepared, it became requiſite to conſider the nature of the " orders and authority under which he acted, with other particular " circumſtances attending the arreſt of Lord Pigot. The Company's " records, and General Stuart's own Narrative of the tranſaction, clear- " ly ſhew, that his Lordſhip was arreſted by an order under the ſig- " nature of George Stratton Eſquire, Sir Robert Fletcher, Henry " Brooke, Charles Floyer, Archdale Palmer, Francis Jourdain, and " George Mackie, Eſquires; which order General Stuart in the Narra- " tive declares he conſidered as legal, and the Gentlemen who iſſued " it the legal Repreſentatives of the Company. *General Stuart appears*

" *to*

" *to have done nothing in this tranſaction independent of that authority* " *which gave him the order.*" If that authority were clearly illegal, " or the order illegal, the arreſt and impriſonment of Lord Pigot by " military force, may be deemed an act of mutiny, and the perſons con- " cerned liable to be tried by an expreſs article of war; but we own to " you, theſe queſtions appear to us to be of ſo nice and important a nature, " that we did not think ourſelves competent to form a judgment upon " them, with that preciſion which was neceſſary to conſtitute and " maintain a charge againſt an officer for a crime deemed capital by " Martial Law. It is true, indeed, that in the firſt paragraph of " your Letter, dated the 11th of June laſt, you were pleaſed to ex- " preſs yourſelves in very ſtrong terms of the arreſt and impriſonment " of the late Lord Pigot; calling it " a total ſubverſion of your legal " government." Yet, when we conſider the doubts expreſſed in the " 53d paragraph of your Letter of the 4th of July, we could not but " be of opinion, that they muſt in ſome degree have ariſen from doubts " concerning the legal authority and orders by which the arreſt was " executed; and under the influence of this opinion, we thought it " would not only be preſumptuous but imprudent, and even danger- " ous, for us, upon the authority of our own judgment, to found a " crime which might touch the life, character, or fortune of any " man; and that even if we had gone ſo far as to have prepared a " charge, and delivered it to a Court-martial, it might admit of great " doubt, whether a Court of that nature were competent to decide " upon a caſe, which involved queſtions relative to the Company's " conſtitutional government, ſo nice and intricate as thoſe which have " been before mentioned."

I cannot help obſerving here, that the whole tenor of the above paragraph indicates the opinion of the Governor and Council of Madras to be, that Colonel Stuart's innocence or guilt depends totally on the *legality* or *illegality* of the orders he received; an opinion which I cannot entirely acquieſce in,—but which nevertheleſs makes it ſufficiently evident that, when upon the ſpot, they did not ſee his conduct, as to the

" *mode*

mode of the arrest and the circumstances preceding it, in the light they have been represented in this country; for they say expressly, that Colonel Stuart *appears to have done nothing in this transaction independent of that authority which gave him the orders*; they doubtless would have expressed themselves in another manner, if they had found any misconduct in the execution.

The correspondence and papers which passed upon this occasion between the Governor and Council of Madras and Colonel Stuart, in the months of February and March last, have, as I understand, been all sent home to you; I shall therefore beg leave to refer to them as containing his reasons, stated at great length, why he thought that, notwithstanding the difficulties pointed out by the Governor and Council, and by General Monro the Commander in Chief, still he was entitled to expect, and even had a right to demand, that, in the peculiar circumstances of his case, the door of trial by a Court-martial should be thrown open to him, and every possible indulgence granted for facilitatingto him the means of redress.

At the time when Colonel Stuart gave in to the Board at Madras, the papers wherein he so earnestly contended for his trial, he was ignorant of one additional misfortune, of a very serious nature, brought upon him in consequence of the order from the Directors of the Honourable Company appointing him to be tried by a Court-martial; had he known it, that consequential misfortune would have added greatly to the weight of those which preceded, and if possible have increased the zeal of his remonstrances upon the hardship of refusing or delaying that trial.

The disappointment which Colonel Stuart, in the course of last year, met with, in relation to his preferment in his Majesty's service, is what I allude to.

Subsequent to the orders for a Court-martial, which you were pleased to send out to Madras by the Besborough, in July 1777, a very extensive

tensive promotion of officers in his Majesty's service took place in the month of September of that year; by which a great number of Lieutenant-colonels attained the rank of Colonel in the King's service.

Colonel Stuart, who had been a Lieutenant-colonel in his Majesty's service since the year 1762, was very near the head of the list of those Lieutenant-colonels who were to acquire rank from this promotion; but it is a rule with his Majesty's servants in that department, that an officer under orders for trial by a Court-martial is not to be promoted till the event of such trial is known. It was thought therefore that Colonel Stuart could not, with propriety, be included in the general promotion which at that time took place, until the issue of that trial, ordered by the Directors, was known: the consequence was, that he was passed over in that promotion, and thirty-two Lieutenant-colonels, younger in the service than Colonel Stuart, obtained the rank of Colonel, notwithstanding that Colonel Stuart's merit and services were universally allowed to entitle him to that preferment.

Thus, by a complication of peculiar hard fate and misfortunes, the obedience which Colonel Stuart had given in the month of August 1776, to the orders of his Superiors both civil and military, produced—first his suspension from the Honourable Company's service for six months,—then his supercession in the command of the army in the Carnatic,—then an order for his trial by a Court-martial,—which order produced the measure of denying to him the rank of Colonel in the King's service, at a time of general promotion;—and lastly, he meets with a refusal of that trial, which if it had taken place, Colonel Stuart is confident, would have remedied not only this hardship in the King's service, but likewise the other evils of which he has so much reason to complain.

That you may perceive, Gentlemen, that there is nothing exaggerated in the account I have here given of the severe disappointment my Brother and his friends met with at the time of the general promotion of Officers in his Majesty's service last year; and that this disappointment was occasioned by the order you had given for his trial by a

Court-martial, I beg leave to annex the whole of the correſpondence on this ſubject, which paſſed between Lord Barrington, the Secretary at War, and me, in the months of September and October 1777.

In that correſpondence you will obſerve, that it is not on account of any opinion, formed by his Majeſty's ſervants of Colonel Stuart's having acted improperly in India, that he was paſſed over in the King's ſervice; but that it was occaſioned from *etiquette*, by the *orders for his trial*, and which was to be afterwards remedied, if the reſult of the trial ſhould be in his favour. The expreſſions in Lord Barrington's letter to me of the 3d of September 1777, are, "That full "and perfect juſtice will be done to him (Colonel Stuart) hereafter, if "his conduct in India reſembles the reſt of his conduct through life."

His Lordſhip was afterwards pleaſed to explain the matter further, and to mention to me various inſtances, where officers of good reputation, who were liable to be tried by a Court-martial, at a time when a general promotion took place, which they would otherwiſe have been entitled to the benefit of, were denied that promotion until the deciſion of the Court-martial, after which their rank was allowed to them in the ſame manner as if they had not been paſſed over.

Although I was fully perſuaded that it was no part of the wiſh or intention of the Eaſt-India Company, that the hardſhips which they had inflicted, ſhould be productive of any additional evil to Colonel Stuart, in any other line than their own ſervice; yet I have hitherto abſtained from giving you any trouble or repreſentations about theſe conſequential unintended hardſhips; nor ſhould I have mentioned them at this time, or preſumed to give you the trouble of reading the correſpondence between the Secretary at War and me upon this ſubject, if it had not now become unavoidably neceſſary, for two reaſons.

One is, that I find falſe reports have been ſpread about the manner and occaſion of my Brother's being paſſed over in the promotion of laſt year in his Majeſty's ſervice; it has been ſtated as a proof of his guilt,

and

and the turn given to it in many quarters is, that his Majeſty's ſervants, upon being fully appriſed of all the circumſtances of Colonel Stuart's conduct in the diſturbances at Madras, had formed ſuch a decided opinion, that his preferment in the King's ſervice was now abſolutely and unconditionally ſtopped.

The other reaſon is, that you, Gentlemen, from the peruſal of that correſpondence with the Secretary at War, may not only be informed of the true ſtate of the caſe, but likewiſe may perceive the great ſupervenient hardſhips which he has ſuffered, though not intentionally, by the late refuſal or delay of his trial by a Court-martial.

The motives objects of th preſent appli tion.

It is not with a view to find fault, nor in the ſpirit of complaint or ill-humour, that I have taken up ſo much of your time in ſtating the various hardſhips that have been heaped upon my Brother in conſequence of the unfortunate diſturbances at Madras, but merely that the nature of his conduct and the extent of his ſufferings, ſhould be brought under your conſideration, more preciſely, and with leſs mixture of foreign matter than they have ever hitherto been.

So far am I from ſtating his caſe merely with a view of imputing blame, that I am ready fairly to acknowledge, that when the accounts firſt came to this country of the diſturbances at Madras, with all the circumſtances *ſaid* to have attended it; and when it was not foreſeen to how much greater length theſe convulſions might proceed, and what the conſequences might be to the peace and ſecurity of the Settlement; I ſay, upon that occaſion, it was extremely natural, not only to feel a degree of prejudice and diſpleaſure at what had happened, but to be alarmed for the future conſequences, and to endeavour to avert them, by marking a diſapprobation of the ſeemingly violent and improper conduct of all the actors in the late diſturbances.

It was a difficult taſk for you, Gentlemen, amidſt the rage and animoſity which actuated the minds and influenced the repreſentations of the oppoſite parties, to diſcriminate the guilty from the innocent, or to aſcertain the different degrees of offence which had been committed by your ſervants in that Settlement; neither was it poſſible for you to pronounce any judgment, or to purſue any general meaſure, that would be ſatisfactory to all parties.

Perhaps, indeed, the ſteps you did purſue on that difficult occaſion were, upon the whole, as little exceptionable, and had as many probable appearances of being well calculated for eſtabliſhing peace in your Settlement, and to prevent the growth of further evils, as any that could have been deviſed in the circumſtances in which you were placed; and there is this ſtrong preſumption in favour of the wiſdom and impartiality of your meaſures, that countenancing the extremes of neither party, they were in ſome degree unacceptable to both.

But give me leave, Gentlemen, to obſerve, that the very ſame conduct, which, with a view and upon a plan of prevention, may properly be adopted at a particular criſis of public confuſion, and while there is yet an uncertainty to what iſſue that confuſion is to lead, may and ought to be very different from thoſe meaſures which ſhould be taken with regard to offences already paſt, and where the whole extent of the miſchief has been already aſcertained; when the latter is the caſe, there is room for taking into conſideration the exact meaſure and proportion of each man's offence or merit, and it is a matter of juſtice to give redreſs to thoſe, who, though unavoidably involved in the general hardſhips incident to individuals upon public diſturbances, ſhall be found, either to have ſuffered far beyond the magnitude of their offences, to have been innocent, or perhaps highly meritorious.

It is to this conſideration, Gentlemen, that, with your permiſſion, I wiſh to conduct your attention; for the Madras diſturbances are now and have been long at an end, the period is arrived, which not only admits but loudly calls for, the diſcrimination of every man's conduct,

duct, and for proportioning the puniſhment or redreſs that is due to him.

During many months after the arrival of the firſt accounts of the Madras diſturbances, which reached England in the month of March 1777, there was an extenſive field opened for men of warm imaginations to alarm themſelves and the Public, by painting ſcenes of horror, anarchy, and confuſion, which were to be the infallible conſequences of the ſteps taken by the Majority of Council, and by Colonel Stuart, in the month of Auguſt 1776.

We muſt all remember the diſmal predictions which were made in the General Courts of Proprietors, and circulated in the Public at large, with a degree of confidence little ſhort of certainty.

The prophets and orators of thoſe times affected to dread the arrival of any ſhip, or other means of intelligence, from India, becauſe they ſeemed perſuaded, that we ſhould ſoon have the melancholy accounts of many lives loſt, and of complete anarchy and confuſion from one end of the Carnatic to the other.

The Princes or Powers of that part of India, either with or without the aſſiſtance of the French, were to take advantage of thoſe confuſions, and to ſubdue or expel us from the country; the Nabob of Arcot, at leaſt, after getting rid of Lord Pigot, his moſt formidable oppoſer, and the controller of his views, would undoubtedly eſtabliſh his own power and independency upon the overthrow of the Britiſh dominion in the Carnatic; and there could be no danger of the Nabob's being thwarted in his attempts by thoſe corrupted and ſeditious counſellors, whom he had inſtigated to ſuch violent proceedings againſt Lord Pigot, and who were totally at the devotion of this Mahommedan Prince.

Above all, it was perfectly clear, according to thoſe predictions, that Colonel Stuart, who had taken ſo active a part in the arreſt of Lord Pigot, by military force, and who had the army totally at his devotion, would find out a better intereſt to cultivate, than that

of his Honourable Employers, the Eaſt India Company; and that he meant *to ſet up for himſelf* in that part of the world, and would either laugh at any orders that ſhould be ſent from the India-Houſe, to deprive him of his power, or would oppoſe force by force.

Such were the gloomy predictions, and it was in vain to argue againſt them in whole or in part;—— but the period has long been cloſed within which theſe prophecies were to have been fulfilled, and what has *really* happened within that period, is ſo totally unlike every thing which diſturbed the imaginations of ſome too credulous Proprietors, that it will hardly be believed that ſuch unfaithful pictures could ever have been drawn of Colonel Stuart, and of the events which were to be produced by his conduct.

Inſtead of confuſion and civil war, there never was a more ſettled ſtate of quiet and tranquillity.—Inſtead of reſiſtance on the part of Colonel Stuart, and *ſetting up for himſelf*, there has been the moſt uniform and implicit obedience to the orders of his ſuperiors.

When Mr. Whitehill arrived at Madras, in the month of Auguſt 1777, with the new commiſſion of government, and with your directions, by which Mr. Stratton and the other Gentlemen of Council were called home, and by which Colonel Stuart, the Commander in Chief of the army, was ſuſpended and ſuperceded; he was the firſt perſon who accompanied Mr. Whitehill to the parade, was preſent at reading the new commiſſion of government, and of the order for his own ſuſpenſion.

Upon that occaſion, he openly and immediately declared his reſolution to obey the orders of his Honourable Maſters, however hard they might be on himſelf, and declared that he wiſhed, and did not doubt, that every other perſon affected by theſe orders, would be in the ſame diſpoſition.

On this ſubject there is the following paragraph of a letter from Mr. Whitehill the Governor, and the Council at Madras, to the Supreme Council at Bengal, extracted from the Minutes of Conſultation of the 31ſt of Auguſt 1777.

" They think it alſo neceſſary to obſerve, with reſpect to Bri-
" gadier-general Stuart, whoſe ſituation in the late tranſactions *was*
" *peculiar*, that he ſhewed the ſame implicit obedience on his part to
" the authority of the Company, attended on the parade at the reading
" of the Company's commiſſion of government to the troops, and was
" ſtudious, by his whole conduct, to ſhew to the officers and ſoldiers,
" the proper ſenſe which he entertained of the Company's orders."

Upon a ſubſequent occaſion, in September 1777, when Mr. Ram, the Coroner at Madras, in conſequence of his extraordinary verdict already mentioned, applied to the Governor and Council to be aſſiſted in apprehending Colonel Stuart, and the other perſons who had by that unjuſtifiable verdict been accuſed of the wilful murder of Lord Pigot; Colonel Stuart, Mr. Stratton, and the other perſons accuſed, voluntarily delivered themſelves up to the cuſtody of the Sheriffs, and declared they were willing and deſirous to undergo every ſort of trial that the laws of their country could authorize.

Another inſtance of the ſame ſpirit of good order and obedience on the part of Colonel Stuart, and the other Gentlemen who concurred with him, appeared in the month of January in this preſent year, and is ſet forth in three letters which paſſed between them and the Governor and Council, which are printed at the cloſe of the Collection of Authentic Papers lately publiſhed, relating to the proceedings of the Coroner's Inqueſt. As they are too long to be inſerted here, I ſhall only beg leave, in confirmation of what has been mentioned, to inſert a part of the letters to you from the Governor and Council of Madras, received by the Houghton in Auguſt laſt; it is in theſe words:

" It is a juſtice, however, that we particularly owe to the Members
" of the late government, to obſerve to your Honours, *that their lead-*
" *ing example in ſhewing the moſt implicit ſubmiſſion to your orders*
" *for eſtabliſhing your new adminiſtration, has been of the greateſt uſe*
" *in reſtoring that harmony and good underſtanding we have juſt ſpoken of.*

" But beſides the general tenor of their behaviour as individuals, " of which we have been eye-witneſſes, we beg leave to refer you to " the letter ſigned by General Stuart, Meſſrs. Mackay, Palmer, and " Floyer, and to the anſwer which we thought proper to make to theſe " Gentlemen; who, for the peace of the ſettlement, and with a view " to the welfare of your affairs, have agreed to wave the agitation of " queſtions at this time, which muſt neceſſarily have taken our atten- " tion from the immediate buſineſs of your government."

Such has been the conduct of Colonel Stuart, regulated by the moſt ſincere attachment to good order, and to the proſperity of your affairs, and proved by the moſt unqueſtionable evidence. As it has been ſo fully laid before you, it would be needleſs, and therefore impertinent to make the obvious inferences, by pointing out, and obſerving upon the many falſe and injurious repreſentations, which have been circulated to Colonel Stuart's prejudice.

The redreſs due to Colonel Stuart, and the modes by which it may be accompliſhed.

Now that the ſcene is cloſed with reſpect to the courſe of events at Madras, connected with, or following the diſturbances of the month of Auguſt 1776, when you are ſatisfied, that none of the many predicted miſchiefs have happened; on the contrary, that without confuſion of any ſort, both the temporary government of Mr. Whitehill and his Council, and the completely eſtabliſhed government of Mr. Rumbold, and the Council which now manages your affairs at Madras, have taken place, and with the moſt complete ſubmiſſion and obedience to your orders on the part of Colonel Stuart; may I not be permitted, with a degree of confidence, to maintain, that this is the proper time to take into conſideration, all the particulars of his caſe, ſo very peculiarly circumſtanced.

If it ſhall now appear to you, that Colonel Stuart has either not been guilty of any offence, or rather, if it ſhall appear, as I flatter myſelf it muſt, upon a diſpaſſionate review of his conduct, that the perſon expoſed to ſuch a variety of hardſhips, inſtead of meriting them, has rendered material ſervices to the Honourable Company; I truſt, Gentlemen, that in theſe events, you will direct the remedies and redreſs beſt ſuited to the circumſtances of the caſe.

After having given you the trouble of reading ſo much on the ſubject of Colonel Stuart's conduct, and entertaining more than a hope, that the true ſtate of his caſe has by this time made ſome impreſſion on your minds, it may reaſonably be expected from me to point out, which I ſhall do with great ſubmiſſion, the objects I have in view by this application.

Upon this principle, therefore, I ſhall take the liberty of ſuggeſting to your conſideration, the general nature of the redreſs to which Colonel Stuart, or his friends, may think him entitled; and the modes in which, if it ſhould meet with your approbation, that redreſs may, without difficulty, be accompliſhed.

For this purpoſe, it ſeems neceſſary, that one or other of the two following meaſures ſhould be adopted.

The *firſt* is by perſevering in the plan which had already occurred to you, and to which Colonel Stuart moſt cordially agreed, that of having every circumſtance of his conduct tried by a Court-martial, on the ſpot where the tranſactions happened; but then it is extremely material, in the event of your renewing your order for this trial by a Court-martial, that the order be made peremptory and abſolute, without any diſcretion left in India, to refuſe that Court-martial; for it is of the utmoſt importance, to avoid the ſame uncertainty and hurtful delays which have already happened to Colonel Stuart in conſequence of the firſt order, ſuch delays being of themſelves, and eſpecially when attended with ſuſpenſion, to any perſon in his ſituation, a ſtrong degree of puniſhment.

As the principal difficulty which prevented the Governor and Council at Madras from granting the Court-martial was, that no ſuch trial could be proceeded to with any effect, until it ſhould be previouſly declared, whether the *legal government* had been veſted in a Majority of Council; therefore, it ſeems eſſentially neceſſary, if there can ſtill be found thoſe who think that point not already ſufficiently clear, that when the orders are ſent out for Colonel Stuart's trial by a Court-martial, your ſentiments with regard to this point, reſpecting the legal government, ſhould accompany the direction for a trial.

If this mode of taking Colonel Stuart's caſe into conſideration is adopted, which I beg leave to obſerve would of all others be the moſt acceptable to him, I ſubmit to your conſideration, whether, at the ſame time that you ſend out the orders for his trial by a Court-martial, there ſhould not be directions ſent to fix and aſcertain the particular redreſs he is to receive, in the event of his being honourably acquitted; for what is extremely remarkable, there has never hitherto been any proviſion made for the caſe even of his innocence, and much leſs for the ſuppoſition of his merit;—the only thing in contemplation has been the caſe of guilt, and it becomes the more neceſſary that ſuch inſtructions ſhould accompany the order for trial, on account of the immenſe diſtance of place, and conſequently the material and inevitable loſs of time, if Colonel Stuart ſhall again be obliged to wait the returns from this country to India, before he receives any beneficial effects from his innocence, ſhould the determination of the Court-martial be in his favour.

The *ſecond mode* of doing juſtice to Colonel Stuart, is by your being pleaſed to enter upon the examination of his caſe, and to decide upon it from the ample facts now in your poſſeſſion, without the intervention of any other Court of Enquiry, or of a Court-martial.

Any propoſition of this kind, at the time when you ſent out your former orders, either thoſe by Mr. Whitehill, in the month of June, or the ſubſequent orders by Mr. Rumbold, in the month of July,

1777,

1777, I admit, would have been improper; becauſe, at theſe periods, the knowledge of facts was not ſufficiently attained, nor could you then conjecture what conſequential miſchiefs had ariſen, or might ariſe in the interval between the time of arreſting Lord Pigot in Auguſt 1776, and the time at which the new government ſhould be eſtabliſhed by the orders then ſent out; neither could you know, and much leſs judge, what Colonel Stuart's conduct had been, or might be, in that interval.

But now that all theſe things are paſt, that they are become hiſtorical facts, not matters of ſpeculation, it has occurred to many impartial and judicious perſons, that it would be highly proper if you, Gentlemen, would now enter into the conſideration of this matter, and that the circumſtances of Colonel Stuart's caſe, as well as the ſituation of affairs in India, do in reality make it requiſite and ſuitable, that you ſhould, from the full materials in your poſſeſſion, take it upon yourſelves at this time, to decide upon his conduct.

In the general letter from your Governor and Council at Madras, dated 14th of March, 1778, brought home by the Duke of Kingſton, paragraph 6th, they tell you, "that the queſtions involved in "General Stuart's caſe, were ſuch as no authority *in that country* could "properly decide." In the 9th paragraph of the ſame letter, where they ſtate the inutility of a Court of Enquiry, for aſcertaining facts upon evidence, they give the following reaſon for being of that opinion, "Becauſe in regard to facts, we apprehended that the records of the "Company were *already ſufficiently explicit* for all the purpoſes re-"quired; every part of General Stuart's conduct is there ſet forth by "his own acknowledgment, or the teſtimony of others, and that ap-"parently in the fulleſt and moſt circumſtantial manner."

In paragraph 10th, of the ſame letter, after mentioning that Lord Pigot was arreſted by an order under the ſignature of George Stratton, Eſq; Sir Robert Fletcher, Henry Brooke, Charles Floyer, Archdale Palmer, Francis Jourdain, and George Mackay, Eſqrs. they tell you

 expreſsly,

expreſsly, " *that General Stuart appears to have done nothing in this* " *tranſaction, independent of that authority which gave him the or-* " *der;*"—and in the courſe of the ſame paragraph, they clearly expreſs to you their opinion, that the merits of General Stuart's caſe muſt turn upon the *legality* or *illegality* of the orders and authority under which he acted; and that this being a queſtion of ſo nice and important a nature, they did not think themſelves competent to form a judgment upon it.

Are not all theſe very ſtrong and powerful reaſons for you, Gentlemen, in the direction of the Eaſt-India Company's affairs, to relieve the Government and Council at Madras from the difficulties which have prevented their acting in this buſineſs, and to take upon yourſelves the immediate deciſion of it?

It appears from the opinion of the Governor and Council at Madras, and from the circumſtances of the caſe itſelf, that it needs not be a matter of long diſcuſſion, nor attended with much difficulty to decide *what relates to Colonel Stuart* in this buſineſs.

If it be true, as ſtated in the letter from the Governor and Council at Madras, that he did nothing independent of the authority under which he acted, then Colonel Stuart muſt unqueſtionably be free from blame for his obedience to theſe orders, provided you ſhall be of opinion, that the powers of Government were in the *Majority of Council*, who iſſued them.

But even though you ſhould be of opinion that the legal Government was veſted in the Majority of Council, I beg leave to obſerve it might ſtill remain a *ſeparate* and very *different queſtion*, Whether that Majority acted *properly* or *improperly*, *wiſely* or *impoliticly*, in iſſuing to Colonel Stuart an order for putting them in poſſeſſion of the Fort-houſe, garriſon and fortreſs of Fort St. George, and for arreſting Lord Pigot?

But this is a queſtion with which Colonel Stuart, who was no Member of Council, who iſſued no order, but obeyed only the orders

which others had iſſued, can have no earthly concern; the reſponſibility for that meaſure reſting totally with the *Majority of Council* and the *Commander in Chief*.

It is, therefore, by no means, as has been generally and erroneouſly ſuppoſed, a *common cauſe* between Colonel Stuart and the Majority of Council; their caſes ſtand upon a different footing, and may be decided upon a different principle.

This diſtinction betwixt his caſe and that of the Majority, ſeems to have occurred to the Governor and Council at Madras, who, in their letter to the Supreme Council in Bengal in Auguſt 1777, expreſs themſelves thus: " We think it neceſſary to obſerve with reſpect to " Brigadier-general Stuart, whoſe ſituation in the late tranſactions *was* " *peculiar*," &c.

In the proceedings at Madras, Colonel Stuart himſelf has very carefully ſeparated it; nor will your deciding upon *his caſe*, by itſelf, imply your approbation of the *policy* and *diſcretion* of the Majority of Council who iſſued thoſe orders under which Colonel Stuart acted.

Permit me now, Gentlemen, to take the liberty of reminding you that, beſides the more ancient and unrepealed orders and inſtructions for regulating the conſtitution in your Settlement at Madras, you have yourſelves ſent out by Mr. Whitehill, in June 1777, freſh orders and inſtructions on this ſubject, expreſs and unambiguous; by which you have not heſitated to declare, that the legal Government of Madras is veſted in the *Majority of Council*,—as the Majority of Council who iſſued the orders to Colonel Stuart, contended it was.

Before therefore it can be your opinion, that any man acting in obedience to the orders of the *Majority of Council* acted illegally, you, Gentlemen, muſt determine that the Government of Madras in its principles, and conſtruction, was different in the year 1776, when Colonel Stuart acted, from what you have *ſince* decided it to be in the year 1777.

But ſhould there be any reaſons for your wiſhing to avoid, or to delay giving an expreſs opinion upon a point on which it ſeems already to be ſo ſtrongly implied, there ſtill remains a diſtinct and ſufficient ground for proceeding to final determinations in Colonel Stuart's caſe, from the circumſtances which are peculiar to it, and which are not connected or involved with the caſe of the Majority of Council.

Becauſe, ſuppoſing the pretenſions of the Majority of Council to the powers of government not to amount to a clear and indiſputable right, ſtill on the loweſt eſtimation of theſe pretenſions it muſt be admitted, that it was at leaſt a doubtful point, whether the *legal government* belonged to the Majority, or to the Preſident and Minority of Council at Madras; for certainly no perſon acquainted with the nature of the conſtitution at Madras, or with the ſtate of opinions upon this point in your ſettlement there, will pretend to ſay, that it was a clear and indiſputable point, that the Majority of Council was *not* the legal government.

Taking it then as a doubtful point only, whether Colonel Stuart was bound to obey the orders of Lord Pigot and the Minority of Council, or thoſe of the Majority; ſurely it could not with juſtice be maintained, that he was culpable, becauſe he obeyed the authority of the latter, in preference to that of the former, eſpecially as there was this additional reaſon for his doing ſo, that his Commander in Chief, Sir Robert Fletcher, was one of the perſons who ſigned the order which Colonel Stuart obeyed.

If it could be ſuppoſed that the weight of the civil authority was ſo equally poized as to produce doubts on which ſide it preponderated, can it be matter either of wonder or of blame, that a military man, formed by his education to obey rather than to inveſtigate, ſhould allow on ſo even a balance, and in a diſcuſſion of ſo much nicety, the concurring commands of his ſuperior officer to turn the ſcale?

If in this particular point Colonel Stuart ſtood in need of further juſtification, it ought to be of no ſmall weight that the Supreme Council

Council in Bengal unanimouſly declared the *legal government* at Madras to be veſted in the Majority of Council.—The queſtion therefore may, without impropriety, be put by Colonel Stuart, At what period could he poſſibly ſuppoſe that the Majority of Council was *not* the the legal government? That it was ſo in the year 1776, before, and ſubſequent to the diſturbances, is clearly declared by the Supreme Council in Bengal, uncontradicted by any declaration or opinion on your part; and that it was ſo in the year 1777, is as clearly declared by the poſitive inſtructions which the Eaſt India Company ſent out by Mr. Whitehill.

Neither can I prevail upon myſelf, even circumſtanced as I am, to throw out of this queſtion, the opinion and aſſertions of Colonel Stuart himſelf, which have been uniform and ſtrong, that the *legal government* which he was bound to obey, was according to his private judgment veſted in the *Majority of Council*, the ſincerity of which opinion I ſhall endeavour to prove from his conduct, and by examining whether there was any object of intereſt in proſpect, or attained by him, by means of the part he took in the convulſions at Madras in Auguſt 1776.

Colonel Stuart went out to Madras, ſecond in command, and with the command in chief aſſured to him, and the rank of Brigadier-general, upon the death, removal, or reſignation of Sir Robert Fletcher, who, at the time of theſe diſturbances, in Auguſt 1776, was in ſo bad a ſtate of health, as to be thought paſt recovery; and he died ſoon afterwards, in December 1776.

The only thing, therefore, that was likely to prevent Colonel Stuart's attaining the Command in Chief, the firſt wiſh of a military man, and the very object for which he entered into the ſervice of the Eaſt India Company, was any diſturbance or confuſion in the government at Madras, that might in its conſequences defeat the effect of the appointment which he carried out with him to India.

It was eaſy to foreſee, that the diviſion of the Council into two oppoſite parties, each of which, pretending to be the legal government, would

would of courſe require an implicit obedience from Colonel Stuart, was the thing in the world moſt likely to produce ſuch confuſion, and an unfortunate alternative for him perſonally, which might prove fatal to his expectations.—It was a *criſis*, which, inſtead of promoting, every man of any degree of underſtanding, or even of ambition, both of which Colonel Stuart's enemies are ſo obliging as to allow him, would, in his ſituation, have been at the utmoſt pains to avert.

Upon the ſame day, the 23d of Auguſt, each party made an offer to Colonel Stuart of the command of the army; there was however this material difference, that the command offered to him by the Majority of Council, the party which he obeyed, was only the *temporary command* during the indiſpoſition of Sir Robert Fletcher; whereas the offer by Lord Pigot and his friends, who had put Sir Robert Fletcher under arreſt, with a view to his being tried by Court-martial for mutiny and ſedition, was the complete and immediate command of the army, without any limitation of time.

It is evident, therefore, that the part which Colonel Stuart acted in this diſagreeable alternative, was that which, according to all the rules of ſelf intereſt, was the leaſt likely to be beneficial to him.

I go farther, and ſay, that to be brought to ſuch an alternative at all, was a thing ſo evidently unfortunate, for any man placed in Colonel Stuart's ſituation, that it excludes the poſſibility of ſuppoſing that he could be a party, or in the ſmalleſt degree concerned in any ſcheme or plan to produce the diſturbance and convulſion which happened at that time, unleſs we ſuppoſe him to have been void of every degree of common underſtanding or attention to his own intereſt.

Nay, if he had foreſeen even the chance of ſuch diſturbances, and could have removed himſelf to the remoteſt part of India, until either the one party or the other had got clearly the aſcendant, that would have been a much more judicious and beneficial plan than putting himſelf in the way of receiving, or being under the neceſſity of obeying, the orders of either.

But

But it will even be ſaid, perhaps, for there have not been wanting thoſe who have ventured to inſinuate it, that though Colonel Stuart took the part, which to all *appearance* was the moſt againſt his intereſt, yet there were certain ſecret means of counterbalancing to him the diſadvantages and hazards to which he was expoſed;—in ſhort, that he either had received, or was promiſed by the *Nabob of Arcot*, or by thoſe connected with him, ſuch pecuniary preſents as were ſufficient to compenſate any loſſes and diſadvantages he might ſuſtain in other reſpects.

If thoſe who have permitted themſelves to make ſuch inſinuations, for they have never amounted to open aſſertions, can ſhew to your ſatisfaction, Gentlemen, that Colonel Stuart, either directly or indirectly, ever received or was promiſed, either by the Nabob of Arcot, or by any other perſon, any ſum of money or other reward, for the part which he took in obedience to the orders of the Majority of Council, I ſhall admit that he deſerves the ſevereſt indignation of the Company; for my own part, it would completely put an end to every effort or endeavour from me, to ſupport his cauſe, or in theſe ſuppoſed circumſtances to vindicate the character or conduct even of a Brother.

But I have ſo thoroughly convinced myſelf (and from the ſtrongeſt reaſons) of the falſehood of the imputation, that however humiliating it may be, to enter into the vindication of one's friend upon topics of this ſort, I moſt readily embrace the opportunity of putting to defiance, even the greateſt enemies of Colonel Stuart, and of calling upon them, by every decent method of provocation, to ſhew, with any colour of probability, that he ever received or was promiſed any reward from any quarter whatſoever, for the part his duty obliged him to take in the diſturbances at Madras.

When I had the honour of addreſſing you in April 1777, there was inſerted in my letter, the copy of part of a private confidential letter, which I had then recently received from my Brother, which was in theſe words:

" Before

" Before I take my leave of you, my dear Brother, I ſhall beg " leave to repeat what I have already declared to my friend, General " Clavering, that as I hope for mercy, I never had any promiſe, nei- " ther am I in poſſeſſion or expectation of any private benefit what- " ever, reſulting from the change now brought about in this govern- " ment."

Such is the language of his moſt private and confidential letters to me, on the ſubject of the part he took, and though his aſſertions do not with me ſtand in need of additional confirmation, yet from a variety of concurring circumſtances, I have every reaſon to place complete reliance on the ſincerity and truth of what he has ſo ſolemnly aſſerted.

Another charge, of an injurious nature, has alſo been very induſtriouſly circulated againſt Colonel Stuart, that he was ſo cloſely linked with the Majority of the Council, as to have embarked in the indiſcriminate ſupport of all their meaſures. But I can undertake to demonſtrate, that Colonel Stuart, ſo far from being a man of faction or of party, has conducted himſelf in ſuch a manner as to belong to no party or particular deſcription of men in India.——He has endeavoured, according to the beſt of his judgment, to promote the general intereſts of the Company, both in their civil and military affairs, and, making that the rule of his conduct, his ſupport either to one party or another, has been regulated by the notions he entertained of the tendency of their meaſures to the public utility.

Senſible that this aſſertion ought to be ſupported by ſtrong and unambiguous proofs, Colonel Stuart appeals to the conſultations and records of the Madras Preſidency, in your poſſeſſion; and he has repeatedly preſſed upon me, to requeſt your particular attention to theſe authentic proofs of the impartiality and independency of his conduct, and of his acting from his own judgment, unconnected with any particular party, and frequently differing from all parties.

Colonel Stuart's opinions, inſerted in theſe conſultations and records, ſince the time that he had a ſeat and voice in Council, will likewiſe

ſhow

ſhow that he held this conduct, equally with reſpect to the European, and the Aſiatic diſputes; not only when they related to queſtions agitated amongſt your own ſervants, but to the meaſures proper to be purſued, in what reſpected the oppoſite or rival intereſts of the *Nabob* of *Arcot*, and the *Raja* of *Tanjore*.

If then I have cleared Colonel Stuart's conduct from the ſuſpicion of either producing or fomenting the diſturbances at Madras, or of acting from intereſted motives on that occaſion; if I have ſhewn that he merely gave obedience to orders which his ſenſe of duty compelled him to obey, though contrary both to his real and apparent intereſt; —if it has been made evident, that no ſhare of reſponſibility for the meaſures which he carried into execution could juſtly be allotted to him, and that he executed thoſe meaſures in the manner of all others the beſt calculated for the peace and ſecurity of the Settlement, as well as for the preſervation of Lord Pigot, and the lives of other individuals; What obſtacle can there poſſibly be to prevent the entering upon an immediate conſideration of Colonel Stuart's caſe, either connected with, or diſtinct from, that of the Majority of Council, as you ſhall prefer?—And is there not ſufficient ground to juſtify me in concluding, that the very peculiar circumſtances of the caſe muſt diſpoſe you, Gentlemen, to adopt the mode beſt ſuited for giving the moſt ſpeedy and effectual redreſs to Colonel Stuart, who being an officer of no inconſiderable rank in your ſervice, is therefore particularly entitled to your protection, and who conſiders himſelf as authoriſed to complain that he has been injured and miſrepreſented?

After having treſpaſſed ſo long upon your time, it is but too evident how much I ſtand in need of your indulgence; the various topics neceſſary, not only to be touched, but enlarged upon, in this addreſs,

CONCLUSIO

have

have imperceptibly encreaſed it to a length beyond what I was at firſt aware of, and far beyond what I intended.

To ſtate facts, upon which no opinions have been formed, is not, perhaps, a very difficult taſk, nor does it require much detail; but to ſtate them, ſo as not merely to convey information, but to remove the prejudices which have been already conceived, and taken root, demands a much greater degree of particularity and minuteneſs, and is a very different undertaking.

That prejudices ſhould have ariſen in conſequence of the firſt accounts brought to this country, of the convulſions at Madras, I have no right to be ſurpriſed; the firſt accounts of any, and eſpecially of any diſtant tranſaction, are ſeldom the moſt correct; but beſides this, every man, whoſe fate it is to act upon critical and important occaſions, muſt not only ſubmit to have his conduct freely canvaſſed and criticiſed, but when the various intereſts of many different perſons have been affected, muſt further expect to undergo a great degree of prejudice and calumny.

From the firſt moment that the accounts reached this country, of the events which had happened at Madras, I have ever ſincerely lamented them; an apprehenſion that the public intereſt might be affected, would of itſelf have been ſufficient to make me regret them. To this, however, has been added a particular concern on account of the animoſity which it was eaſy to foreſee would be excited againſt my Brother, from the part which had been allotted to him at that difficult *criſis* of your affairs.

It was obvious, that whether blameable, innocent, or meritorious, Colonel Stuart would inevitably be involved in many diſagreeable conteſts, that he would be expoſed to the reſentments of at leaſt one party, and to a variety of attacks and aſperſions upon his character and conduct.

It has therefore fallen to my lot to anſwer thoſe attacks, and to endeavour to remove the prejudices occaſioned by thoſe aſperſions

which have been thus thrown out againſt an abſent Brother, who, it muſt be confeſſed by every one, has at leaſt been unfortunate; and perhaps thoſe who have attentively peruſed this narrative, may by this time be of opinion that he has been ſeverely and unreaſonably perſecuted.

In performing the painful taſk which has fallen to my ſhare, I am apprehenſive that an over anxiety, leſt ſome fact ſhould be omitted, or ſome reaſoning too ſlightly enforced, may imperceptibly have led me into the repetition of what had been already ſaid, or the addition of what was unneceſſary.

For the imputations againſt Colonel Stuart have aſſumed ſo many different forms, and been extended to ſo great a variety of particulars, that I have neceſſarily been obliged to inveſtigate every ground upon which the attacks againſt my Brother had been founded, though many of them were ſuch as in ordinary caſes might have been thought of too trivial a nature to demand attention, and much leſs to require a ſerious refutation.

I am ſenſible of this diſadvantage, and of having been led by Colonel Stuart's adverſaries into the diſcuſſion of ſo many and ſuch minute particulars, the exact recollection of which I fear will be thought to require too great and painful an effort of the attention.

For the aſſiſtance therefore of thoſe who from duty or from curioſity may be led to peruſe this narrative, if it were not adding to the length of it, already too long, I ſhould be inclined ſhortly to reſume all the material facts and propoſitions eſtabliſhed in the courſe of the preceding enquiry;—without, however, engaging in that extenſive plan, I ſhall beg leave only to recal to your memory ſome of thoſe facts and propoſitions which are the moſt eſſential, and the leaſt incumbered with unintereſting and minute circumſtances.

It is a fact, which will not be diſputed, that the moſt uninterrupted peace and ſecurity have prevailed in your ſettlement at Madras, not-

withſtanding the temporary diſſentions in the month of Auguſt 1776; and it is admitted, that while theſe diſſentions were at their greateſt height, even at that very critical period, not one life was loſt, nor the leaſt perſonal injury ſuſtained by any individual in the Settlement, whether that individual was a favourer of Lord Pigot, or took part with the Majority of Council.

It has always been thought a ground of merit for an officer charged with the execution of an order of a very hazardous and difficult nature, that he had accompliſhed the objects of that order without the loſs of lives; without any man being injured in his perſon or property; and without any tumult or confuſion in the community.

This merit has been univerſally allowed to Colonel Stuart, and it has been uniformly the firm conviction of his mind, not only before, but ſince the arreſt of Lord Pigot, that, if he had either ſupported his Lordſhip in oppoſition to the Majority of Council, united with the Commander in Chief,—or if in conſequence of the orders received from that majority, he had attempted to ſeize the fort and garriſon of Fort St. George, without the previous arreſt of Lord Pigot;—or, finally, if that arreſt had been attempted in a more public, or in any other manner than that in which it was accompliſhed;—the almoſt inevitable conſequence muſt have been, the loſs of lives, and involving the Settlement in all the horrors of a civil war.

Can it therefore, in the mind of any man, be longer a matter of doubt, whether Colonel Stuart has acted the part of a meritorious and faithful ſervant to the Eaſt-India Company?

If indeed there is any one who can be of opinion, that the orders which Colonel Stuart received from his ſuperiors, civil as well as military, could have been carried into execution with leſs perſonal injury to Lord Pigot or his friends, or with leſs prejudice to the peace and ſecurity of the Settlement, ſuch a perſon may have a right to think, that Colonel Stuart's interference was unfortunate, and that he was unſkilful

unſkilful in the execution of the orders he had received; but ſtill it would by no means follow that the obeying them was *illegal*, or a breach of duty on his part.

There is really, allow me, Gentlemen, to ſay it, ſomething very ſingular and aſtoniſhing in the reception Colonel Stuart's conduct has hitherto met with.—Any man unacquainted with the circumſtances of his caſe, and informed only of the outcry which had been raiſed againſt him, muſt have concluded, that the man perſecuted with ſo much rage and violence had certainly involved ſome of your Settlements in civil war;—at leaſt that he was accountable for many lives loſt by the indiſcretion of his conduct;—or, at the loweſt eſtimation of his offences, that he had been guilty of diſobedience of orders, both to the military and civil part of the legal and eſtabliſhed government of Madras.

But the real facts have been preciſely the reverſe of all theſe atrocious and ſuppoſed delinquencies; and therefore, ſo far as relates to the material and ſolid intereſts of his Honourable Employers, it may now, I hope, without preſumption, be aſſumed as a thing not to be controverted, that Colonel Stuart has acted the part of an obedient and faithful ſervant, attentive to the intereſt of his Employers; and that he is entitled to no ſmall ſhare of praiſe for the diſcretion of his conduct at that moſt critical period, in addition to his many acknowledged ſervices in the military eſtabliſhment, which his friends and enemies have equally admitted.

In ſuch circumſtances it almoſt exceeds belief, that he ſhould have met with ſuch an accumulation of misfortunes, hardſhips, and indignities; the mere enumeration of which has conſumed many pages, and from the peruſal of thoſe parts of this narrative one obvious and very material reflection muſt ariſe;—that if he had been actually guilty of a crime of very conſiderable magnitude, he has already ſuffered more than would have been ſufficient to expiate and atone for it.—— Suſpended——ſuperceded——degraded from the firſt military command with ſevere marks of cenſure and diſpleaſure, before any trial or enquiry

enquiry into his conduct.——Theſe are ſeverities which affect both the honour and the intereſt of a military man, and are proportioned only to offences of great magnitude and clearly aſcertained.

Afterwards when his trial by a Court-martial is ordered, no idea is entertained even of the *poſſibility* of his innocence, or of merit; contrary to all the uſual maxims of juſtice and ſuppoſitions of humanity, which conſider a man as innocent until he is actually proved to have been guilty.

No proviſion is made for redreſs to his honour or intereſt in the caſe of an honourable acquittal;—nothing ſeems to have been in contemplation but his guilt and the certainty of puniſhment.

Effectual care was indeed taken, that in all events, guilty or innocent, he ſhould be puniſhed by being deprived of that command, upon the faith of which he went to the other ſide of the globe; for the ſuperceſſion of Colonel Stuart was not made temporary and dependant upon his acquittal, but whether tried or not, and whether acquitted or not, his command was given to another purpoſely ſent from England, and in whom it was veſted without any limitation of time.

Upon the whole, the treatment Colonel Stuart has met with amounts to this, that whether *guilty*, *innocent*, or *meritorious*, he is turned out of your ſervice with marks of diſpleaſure and diſgrace, and the ſeverity of his fate is increaſed by the height of the ſituation from which he is degraded; and is ſtill further aggravated, by all this being inflicted upon him independant of any trial or enquiry into his conduct; when at length an order is ſent to India for his trial, ſo earneſtly ſolicited by him and by his friends, that trial which might have been the means of vindicating his honour, though care had been taken that it ſhould not reſtore him to the command of the army, is expreſsly, and very unfortunately for Colonel Stuart, refuſed.

It would ſurely, Gentlemen, be trifling with the calamities of any man to ſay to him, We are bound, till you are tried, to act upon the preſumption of your being guilty, and at the ſame time to refuſe him that trial by

which alone he can prove that he is innocent.—But it would be mockery ſtill more cruel to ſay,—We will grant you a trial;—ou ſhall have the opportunity you want of proving your innocence;—ut having proved it, you ſhall continue to be puniſhed as you was beore the trial, or even as if you had been proved to be guilty.

Though I profeſs the reaſons of ſome of theſe ſteps taken with regard o Colonel Stuart do not appear to the perfectly obvious, I wiſh moſt anxiouſly to have it underſtood, that nothing here ſaid is intended to carry with it an imputation of blame upon paſt proceedings; but I mean only to urge what Colonel Stuart has ſuffered, from the tantalizing hopes of a trial, and the long delay of juſtice, as a foundation and inducement for your future favour to him.

The misfortunes which he has met with in your ſervice have likewiſe occaſioned other misfortunes, and produced a temporary diſappointment of his well-founded expectations in his Majeſty's ſervice.

As you had before trial ſuſpended Colonel Stuart, and, from entertaining ſome degree of doubt as to the propriety of his conduct, had directed that he ſhould be tried by a Court-martial, *therefore* his preferment was put a ſtop to in the King's ſervice in the general promotion of officers which took place laſt year, and though he was near the head of the liſt of the Lieutenant-colonels entitled to the benefit of that promotion, *thirty-two* Lieutenant-colonels, younger in the ſervice, obtained the rank of Colonel, which was withheld from him.

This very mortifying diſappointment happened to an officer whoſe merits in his Majeſty's ſervice are acknowledged——who in the courſe of laſt war filled ſome not unimportant ſituations——who acted as *Quarter-Maſter-General* at the reduction of *Belleiſle*——commanded a regiment at the taking of *Martinico*——and at the *Havannah* was ſelected to command the party which ſtormed the *Moro Fort*.

All theſe duties he is well known to have diſcharged, to the ſatisfaction of the ſeveral reſpectable commanders under whom he acted; with reputation to himſelf, and utility to the public.

If

If I am rightly informed, there have been few inſtances of officers, who when they firſt entered into the ſervice of the Eaſt India Company, were as high in the King's ſervice as Colonel Stuart, and who had the advantage of ſo much experience in military matters;—while theſe advantages were doubtleſs an inducement to you, Gentlemen, to adopt Colonel Stuart into your ſervice; they likewiſe afforded him the flattering proſpect that he ſhould be capable of rendering ſuch eſſential ſervices in your military eſtabliſhment, as would infallibly ſecure to him both your approbation and the permanency of his ſituation in India, and with that view he incurred a very large expence in fitting himſelf out in a manner ſuited to the rank he expected to hold there.

Upon a full and fair review of what has happened to Colonel Stuart ſince entering into your ſervice, it would be difficult, I believe, to produce an inſtance of any man's having met with ſuch a ſudden change of ſituation, ſuch a cruel diſappointment of his hopes, and who has been involved in ſuch a continued ſcene of diſagreeable ſtruggles and conteſts, as have fallen to Colonel Stuart's lot.

If I have been ſucceſsful in ſhewing, that he never has deſerved the imputations laid to his charge, and that on the contrary he has not only been innocent but meritorious; it ſurely muſt be an intereſting reflection, that all theſe various hardſhips and ſeverities have been inflicted upon an officer and ſervant of the Company, who has promoted the intereſts of his Honourable Employers, and of the State in general, not only by the part he acted during the time he had a ſeat and voice in Council, but likewiſe by his material improvements of your army in the Carnatic, and by a variety of the moſt beneficial regulations in his military department.

It is not for me to ſtate at large and to expatiate upon his merits in theſe reſpects, but it may be permitted, eſpecially when called upon in the defence of a Brother ſo injured and miſrepreſented, to appeal to your own records and informations from India, as well as to the teſtimony

teſtimony of many officers and other gentlemen lately come from that part of the world and now in England, for the truth of what I aſſert.—From theſe various ſources of the beſt and moſt authentic information it will appear, that Colonel Stuart, has, ever ſince his arrival in India, applied himſelf to the buſineſs of his military department there, with a degree of zeal, activity, and attention to œconomy, of which there are few examples; and that by his great vigilance and many improvements on the ſtate of the army and garriſons in that part of India, he has put them on a moſt reſpectable footing, and fortunately at that period of time, when the Honourable Company and the State in general may probably derive the greateſt advantages from his labours.

It is well known to have been a very favourite opinion of Lord Clive's, founded upon reaſon and a perfect knowledge of the ſubject, that in India, where the continuance of life and of health is much more precarious than in Europe, it was incumbent on the Eaſt India Company, always to be provided with more than one or two officers of experience fit for command, who, by having been reſident on the ſpot, ſhould not only have acquired a proper degree of local knowledge, but have overcome the inconveniencies which conſtantly attend Europeans upon their firſt arrival in that climate.

As the wiſdom of this opinion of Lord Clive's, both from the reaſon of the thing itſelf, and from the great authority by whom it was recommended, will, I believe, be univerſally admitted, there may perhaps, after conſidering the opportunities Colonel Stuart has had of acquiring knowledge by ſeveral years reſidence in India, and after knowing what he has done, and was in the courſe of doing, in the military departments in the Carnatic, be ſome degree of regret on a future day, at the Company's having deprived themſelves of his military talents and aſſiſtance, at a time when we are likely to be engaged in war both with the French, and with ſome of the country powers in that part of India.

It

It is however a juſtice I owe to my Brother's ſentiments, contained in his private letters to me, to communicate to you, that he has aſſured me in the moſt ſolemn manner, and I believe he has made the ſame declaration at Madras, that although no earthly conſideration will ever induce him ſo far to degrade himſelf as to act in peaceable times in any ſtation inferior to that which he has already filled, or to accept of any ſituation inconſiſtent with what he owes to himſelf, and to his rank and ſervices; yet, in the event of actual invaſion of the country, by the French or other enemies, that he will, even during his ſuſpenſion, offer his ſervices in any way, however ſubordinate, in which they can be deemed uſeful to the intereſts of the Company.

In the courſe of the preceding narrative there is one thing, Gentlemen, which, independent of the propriety or impropriety of Colonel Stuart's conduct in other reſpects, cannot poſſibly have eſcaped obſervation, that upon all occaſions and whenever an opportunity has occurred of teſtifying his reſpect for the orders and authority of his Honourable Employers, he has afforded the ſtrongeſt proofs of that proper ſenſe of duty which has influenced the whole of his conduct.

Inſtead of acting the part allotted to him by the injurious predictions of his adverſaries, he has diſtinguiſhed himſelf by his zealous endeavours to promote the eſtabliſhment of good order in your Settlement, and by the moſt implicit obedience to the will and pleaſure of the Honourable Company, even in thoſe inſtances where that obedience muſt have been extremely mortifying to him; and I take it for granted that it is unneceſſary to obſerve to you, that his conduct in theſe reſpects has both merited and actually obtained particular approbation from the Government at Madras, which ſucceeded to that of the Majority of Council.

You have alſo had occaſion to obſerve, that the whole of his conduct, during the critical and important ſituation of affairs at Madras in the month of Auguſt 1776, had received the ſtrongeſt marks of approbation from the Supreme Council in Bengal, to whom a ſuperintendency

er your affairs in India was delegated by the authority of Parament.

Thus the Council of Bengal, who had authority to judge of olonel Stuart's conduct, has *poſitively approved* of it.——It has not een *poſitively condemned* or *diſapproved* by any who had ſuch competent authority; at moſt it has only been *doubted upon*, and even heſe doubts have not extended to the whole of it; for there are very few indeed who ſcruple to allow him merit for preventing the miſchiefs which muſt have attended his executing in a violent manner the orders he had received, and it is generally agreed that he was in no degree reſponſible for theſe orders.

Permit me now, Gentlemen, to renew my requeſt for your adopting ſuch immediate and effectual meaſures, as may ſpeedily decide upon my Brother's conduct, and regulate his future expectations.

It is in your power to give the wiſhed-for redreſs, by one or other of the two modes which have been already pointed out: The firſt is by peremptorily ordering his trial by a Court-martial, without any diſcretion left to your ſervants in India to grant or refuſe it; and if that mode is adopted, I truſt, for the reaſons already given, that your order for his trial will be accompanied not only with your determination upon the point reſpecting the *legal government* at Madras, in Auguſt 1776, but alſo with inſtructions to your Governor and Council of Madras as to the particular redreſs Colonel Stuart is to meet with in the event of an honourable acquittal.

Or his conduct may now, as it appears to me with ſtill greater propriety, be decided upon from the ample proofs in your poſſeſſion, which have been ſhown to be ſufficiently explicit to enable you, Gentlemen, to enter upon the conſideration of at leaſt Colonel Stuart's caſe, and to come to ſome final reſolution founded upon ſolid grounds.

If the preſent ſtate of ſuſpence and inactivity with regard to Colonel Stuart were to be further continued, it is impoſſible that complete

juſtice

juſtice can be obtained either for or againſt him; he can neither be puniſhed nor rewarded properly.

If he ſhall be found to have tranſgreſſed his duty, I ſhall certainly have no right to complain of his puniſhment.——If he ſhall be found only to have performed it, the moſt zealous of thoſe friends of Lord Pigot, whom I am ſorry to conſider as in any degree adverſaries to Colonel Stuart,—even the Brothers of Lord Pigot, I am perſuaded, not from any actual communication with them, but from the known liberality of their characters, would be the firſt to wiſh that Colonel Stuart was acquitted.

Though theſe unhappy diſputes at Madras have unfortunately rendered us oppoſite in this conteſt, there is one predicament in which our ſituations are the ſame;—we have in common the feelings of a Brother, and of courſe the ſame anxiety and ſolicitude where a Brother's character and eſtimation are at ſtake.

It has been the ſincere and fervent wiſh of Colonel Stuart, ſince the moment that he heard of doubts being entertained as to the propriety of his conduct, that a trial by a Court-martial ſhould take place.—— In all the different ſtages of this buſineſs he has been uniform in that wiſh.——When firſt a Court-martial was held out to him as a threat, he defied it;—when afterwards he had reaſon to expect it, he declared the higheſt ſatisfaction;—and ever ſince it has been denied him, he has been inceſſant in his expreſſions of the ſtrongeſt regret.—— His preference of this to any other ſpecies of trial, is becauſe he eſteems it to be the moſt effectual and ſuitable mode for a military man to wipe off every ill-founded aſperſion.

It is without any authority from my Brother, that I have ventured to propoſe the other mode of redreſſing his grievances, by taking his caſe into your own immediate conſideration.

This idea has been ſuggeſted to me principally from the peruſal of the reaſons given by your Governor and Council at Madras, for refuſing the trial by a Court-martial.——They have ſaid diſtinctly, that Colonel

Stuart

art has done nothing independent of the authority under which he ed,—have intimated that the *legality* or *illegality* of that authority uſt be declared before any trial can proceed,—and have informed u, that the circumſtances of his conduct are ſufficiently aſcertained the records in your poſſeſſion.

It further became evident to me, that to a perſon in Colonel Stuart's tuation, any additional ſuſpence and delay, is in reality a very ſolid nd a ſevere degree of puniſhment,—and a trial by a Court-martial, pon the ſpot where the tranſactions happened, and there I maintain it an alone be held with juſtice to Colonel Stuart,—or a trial either y a Court-martial, or by the Courts of Law in England, which would require evidence to be brought from India, muſt certainly be attended with the greateſt delay, beſides many other unavoidable inconveniencies.

Having mentioned a trial by the Courts of Law in England, I beg leave once more to recur to an obſervation that can never be too often repeated, or too ſtrongly inculcated, that the only thing for which Colonel Stuart can be reſponſible, is the *Execution* of the orders he received from the Majority of Council; and indeed, independent of the intereſt which Colonel Stuart muſt always take in the proſperity of the Eaſt India Company, it is immaterial to him whether the orders were *right* or *wrong*; in either caſe he thinks himſelf equally entitled to ſome degree of merit:—if they were *beneficial*, he thinks that he has encreaſed theſe *benefits*; if they were *miſchievous*, that he has diminiſhed thoſe *miſchiefs* by his diſcretion and temper in the execution of them.

In the courſe likewiſe of my collecting and arranging the particulars of Colonel Stuart's conduct, in anſwer to the charges thrown out againſt him, the practicability as well as the propriety and ſuperior utility of his caſe being judged of and decided by you, Gentlemen, have become ſtill more apparent.

Impreſſed

Impreſſed ſo ſtrongly as I now am with this opinion, I cannot help taking blame to myſelf in a conſiderable degree, for not having ſooner collected and ſubmitted to your conſideration, the anſwers on the part of my Brother, to the imputations thrown out againſt him,—and I take this opportunity of aſſuring you, that notwithſtanding the various reports, and ſome illiberal publications circulated to his prejudice, I have ever abſtained not only from ſtating his caſe to his Honourable Employers, but from having any concern directly or indirectly in any of the publications relating to theſe Madras diſputes; excepting only that I gave my aſſiſtance in collecting and arranging the materials lately publiſhed in relation to the proceedings of the Coroner's Inqueſt, which is merely a collection of authentic papers for the information of the public, upon theſe ſtrange proceedings, without any reaſoning upon them.

As I was fully perſuaded that my Brother's trial by a Court-martial was to take place, in conſequence of the orders you ſent out by the Beſborough, I therefore thought it my duty not only to avoid giving you unneceſſary trouble, but that it became me to abſtain from any repreſentation or diſcuſſion of his caſe, while there was ſo much reaſon to expect that it was in the courſe of being judicially aſcertained, and reported to you in the moſt authentic manner by the Court-martial.

Beſides the various concurring motives which I have already mentioned, and which induce me, though unauthoriſed by my Brother, to wiſh that the ſecond mode, I have ventured to propoſe, ſhould take place.—Beſides the impartiality and candour with which I am confident, Gentlemen, you will diſcuſs and decide upon Colonel Stuart's conduct and future expectations, there is this ſtrong additional inducement for the preference to the ſecond mode, that the delays which I have ſtated above, as inevitable in every other method of proceeding, will by this be avoided.

It is alſo a conſideration which every body will admit, is extremely intereſting both to Colonel Stuart and his friends, that beſides the weight, which your *Authority* in the deciſion will carry with it in the world, it is in the Directors and Proprietors of the Eaſt-India Company alone that the *Power* reſides, of giving redreſs to an injured officer and ſervant of the Company.

If, however, contrary to what I have taken the liberty of repreſenting, it ſhould appear to you, Gentlemen, that a Court-martial is the preferable method of proceeding, permit me moſt earneſtly to requeſt that the orders for that trial may be ſent to India by the firſt diſpatches.

The anxious wiſh of Colonel Stuart and his friends is, and ever has been, that *every Meaſure* ſhould be adopted which may be the beſt calculated for a thorough examination of his conduct, as well as for throwing light upon the motives and the conſequences of it, and that this ſhould take place with the leaſt poſſible delay;—what is moſt dreaded on his behalf is the continuance of his preſent ſituation, without either *Trial* or *Examination*.

And ſurely, Gentlemen, this anxiety for a ſpeedy determination of Colonel Stuart's fate and future proſpects cannot appear to you either unnatural or unreaſonable.——If misfortunes like thoſe which he has experienced would have been diſtreſſing to any man, it is not to be wondered at if they have been more peculiarly ſo to a military man, in whom a more than ordinary degree of ſenſibility is not only allowable but even commendable, upon every point that may affect his military rank, character, and eſtimation.

Is it therefore to be wondered at, if, after poſſeſſing the diſtinguiſhed rank of Commander in Chief of your great army in the *Carnatic*, he ſhould feel himſelf hurt and mortified at being degraded from that

command, in a time perhaps of the greateſt exertion and activity;—and that, ſuſpended as he ſtill continues to be from your ſervice, he ſhould be waiting in India with the moſt anxious ſolicitude, your final reſolutions concerning him.

This unexpected reverſe, affecting to any officer, muſt be more deeply ſo to him, whoſe pride it was to have beſtowed ſuch indefatigable pains in putting not only your army, but your military poſts in that part of India, on the moſt reſpectable footing; and to have introduced by his attention and example the ſtricteſt diſcipline into the ſervice, while he at the ſame time acquired the confidence and attachment both of the Officers and ſoldiers.——He vainly flattered himſelf, that if, during his ſtay in India, the ſituation of public affairs ſhould call for any military exertions, he could not have failed to acquire ſome degree of credit by the conduct of that army which he had diſciplined and improved, and by the utility of the many military plans which he had formed.

But the ſituation in which he is now placed has put an end to all theſe hopes; he finds himſelf, untried and unheard, deprived of the opportunity of rendering ſervices to the public, and inſtead of acquiring any additional credit to himſelf, left, from a train of unfortunate events, ſtruggling againſt a torrent of calumny, to preſerve that reputation and good name, which, till theſe unhappy diſturbances, had upon no occaſion been diſputed.

Theſe, Gentlemen, are the calamities, and this is the heavy load of injury under which he has ſo long laboured, and under which, even though you ſhould enter into an immediate diſcuſſion of his caſe, he muſt ſtill continue to labour, till the arrival of your diſpatches in India; uncertain whether thoſe diſpatches will bring his acquittal,—a continuance of his puniſhment,—or a refuſal to hear him.

It

It depends, therefore, upon your juſtice and humanity, Gentlemen, to put a period to a ſituation ſo ſeverely mortifying to an officer, conſcious of having exerted his beſt endeavours for the intereſts of his Honourable Employers.

I have the honour to be with great truth,

GENTLEMEN,

Your moſt faithful and

obedient humble Servant,

ANDW. STUART.

Berkley Square,
22d December, 1778.

APPENDIX.

CORRESPONDENCE *between Lord* BARRINGTON, *Secretary at War, and Mr.* STUART, *in relation to his Brother, Colonel* JAMES STUART.

[Referred to in page 50 of the preceding Letter.]

From Lord Barrington to Mr. Stuart.

SIR, Cavendiſh Square, 3d September 1777.

YOUR excellent knowledge of men and things will prevent your being ſurpriſed, or offended, that your Brother is not included in the promotion of Lieutenant-Colonels, advanced to the rank of Colonel, juſt made. This letter therefore is not intended as an apology, but as *an aſſurance, that full and perfect juſtice will be done to him hereafter, if his conduct in India reſembles the reſt of his conduct through life.* I depend on your giving him this aſſurance in my name; and am, with great truth and regard,

SIR,

Your moſt humble, and

moſt obedient ſervant,

(Signed) BARRINGTON.

Adrdeſſed thus:

To Andrew Stuart, Eſq;
Berkley-Square, London.

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From Mr. Stuart to Lord Barrington.

My Lord, Edinburgh, October 3d, 1777.

I Have received in this country the letter which your Lordſhip did me the honour to write to me lately. It was addreſſed to me in Berkley Square, but I had left London two or three weeks before that time; and by my moving from place to place, ſince my arrival in Scotland, it was a long time after the date before it reached me.

I cannot but feel myſelf under great obligations to your Lordſhip, for the kind attention which gave riſe to that Letter. The intelligence of my Brother's being paſſed over in the late promotion would have been doubly diſtreſſing, if it had not been alleviated by the obliging manner in which you have been pleaſed to communicate to me this event; and by the aſſurances which you authoriſe me to impart to my Brother, of the full and perfect juſtice which is intended to be done to him hereafter.

Convinced, as I am moſt ſincerely, of your Lordſhip's kind intentions towards my Brother, and having reaſon to be perſuaded of your good opinion of him as an officer, and as a man, it would be moſt unreaſonable in me to entertain any doubt, that whatever the appearances may be, no real hardſhip or injury is intended him. Still, I cannot help regretting exceedingly, thoſe unfortunate incidents in India, which have made it appear neceſſary that ſuch a marked exception ſhould take place with regard to Colonel Stuart at this time.

The intereſt I take in what relates to my Brother, does not prevent my perceiving the reaſons which might preſent themſelves againſt his being included in the late promotion; it might occur, that as the propriety of his conduct, during the late convulſions at Madras, remains as yet undecided, and as he is to be tried by a *Court-martial* in that country, no mark of his Majeſty's favour ought to be beſtowed upon an officer in that predicament.

But I cannot diveſt myſelf of an apprehenſion, that this ſtep, which from the beſt motives has been taken, for avoiding the appearance of partiality, approbation, or favour on the one hand, may be productive of very hard and ſevere conſequences with regard to Colonel Stuart, from the appearance it holds out to the world, on the other hand, that his conduct in the Indian tranſactions has,

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even before his trial in India, been judged of, and diſapproved at home; and that in the eſtimation of his Sovereign, and his Majeſty's Miniſters, he ſtands already condemned.

The marked exception of Colonel Stuart from ſuch a general promotion, as that which has now taken place, ſeems to me to authoriſe inferences to his prejudice, infinitely ſtronger, than any that could be made in favour of his conduct, from allowing his promotion in the King's ſervice to take place according to the date of his commiſſion, and as a matter of courſe, which would not have implied any mark of ſpecial favour towards him perſonally.

As the circumſtances of this caſe are very peculiar, I beg your Lordſhip's indulgence for ſubmitting them to your conſideration.

Colonel Stuart has been for many years an Officer in his Majeſty's ſervice, and within theſe two years he entered, with the King's permiſſion, into the ſervice of the Eaſt India Company; it was his fate to arrive in India, in the Summer of laſt year, at a time when the diſſentions between the Governor and Council at Madras had riſen to a great height; and though the command of the army was repeatedly offered him by the Governor, it appeared to him to be his duty, as executive officer, and ſecond in the military command, to obey the orders of the Majority of the Council, eſpecially as his immediate commanding officer, Sir Robert Fletcher, was one of that Majority, who ſigned the orders given to him.

Whether Colonel Stuart acted right or wrong, or whether he was guilty of error in judgment, in the obedience he thus gave, and in the other ſteps of his conduct in India, is a matter which yet remains to be tried, and the cognizance of it belongs to the Eaſt India Company.

While theſe affairs are in dependence, and while the opinions of the pnblic are much divided concerning the conduct of the principal actors on both ſides, in theſe diſturbances at Madras; it ſeems to be more equitable, that the conduct of an officer of many years ſtanding in the King's ſervice, ſhould be favourably judged of, on account of his character and behaviour while in that ſervice, if theſe were unexceptionable, than that the uncertain reports or repreſentations of either party, during the heat of faction in the Indian civil commotions, ſhould deprive him of the character ſo acquired, and of the rights accruing to him in his Majeſty's ſervice.

With regard to Colonel Stuart's character and conduct, during the many years he ſerved, and in the various ſtations he has filled in the King's ſervice, they are certainly not liable to any objection.

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On the contrary, the ſtations in which he was employed, and the manner in which he acquitted himſelf of the confidence repoſed in him during the laſt war, afford ſubſtantial proofs of his being conſidered as an officer of diſtinguiſhed merit, particularly his ſervices as Quarter Maſter General, at the reduction of *Belleiſle*,—his behaviour at the taking of *Martinico*, where he commanded a regiment;—and at the taking of the *Havannah*, where he had the command, during the campaign, of a detached corps, and was afterwards ſelected to command the party which ſtormed the *Moro Fort*.

The inference made in many places from the excluſion of Colonel Stuart in the promotion now made is, that ſince his former ſervices, military rank, and behaviour, have availed him nothing upon this occaſion, the circumſtances of his conduct in India muſt have been aſcertained, and have appeared in the moſt unfavourable light to his Majeſty's miniſters, or to thoſe in the management of military affairs; the conſequence of which is, that while he ſuffers greatly in the opinion of the world in general, by this mark of diſpleaſure and diſapprobation, he goes to his trial in India, and to the trial of the other incidental queſtions connected with theſe Indian occurrences, under the diſadvantage of a heavy weight of prejudices againſt him,—prejudices of the moſt dangerous nature, on account of the high authority by which they have the appearance of being eſtabliſhed.

No perſon can be more thoroughly convinced than I am, that there was no intention on your Lordſhip's part, or in any other quarter, to inflict hardſhips of this nature upon Colonel Stuart; on the contrary I am perſuaded, that the true motive of the late meaſure with regard to him was, that his trial might proceed free from prejudices, either for, or againſt him.

But as the prevailing opinion of many judicious and impartial perſons, with whom I have converſed on this ſubject, is, that the tendency of the late remarkable exception of Colonel Stuart, from the recent promotion, muſt, in the circumſtances of his caſe, be ſuch as I have taken the liberty to mention, I thought it my duty to ſubmit theſe things to your Lordſhip's conſideration.

I ſhall only beg leave to add, that for my own part, I have the moſt compleat reliance upon your Lordſhip's good intentions towards my Brother, and have no doubt that, agreeably to the aſſurances given, full and perfect juſtice is intended, and will be done to him; my principal anxiety at preſent is, that during the period which precedes the examination and trial of his conduct in India, there may be no prejudices hurtful to him, nor any appearance of his cauſe being prejudged.

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From the beginning of theſe Indian diſputes, all I have contended for has been, that my Brother ſhould have a fair and impartial trial, and that while it was uncertain, whether he had acted a part that deſerved cenſure or puniſhment, or on the contrary, had rendered meritorious ſervice to the Eaſt India Company, and to the Britiſh government, no ſteps ſhould be taken hurtful to his honour or intereſt.

His trial by Court-martial was my earneſt requeſt to the Directors of the Eaſt India Company, becauſe when the conduct of an officer is attacked, his honour requires this mode of trial; but there is perhaps ſome reaſon to conſider it as an unuſual degree of hardſhip that the following ſteps ſhould precede that trial.

First. The ſuſpenſion of Colonel Stuart during ſix months in conſequence of the orders of the Directors of the Eaſt India Company, which by many people is eſteemed of itſelf a degree of puniſhment before trial, and at the ſame time likely to create prejudices againſt the perſon to be tried.

And secondly. That now he has further to contend with the prejudices ariſing from the marked exception that has been made of him in his Majeſty's ſervice, where, though almoſt at the head of the liſt of thoſe Lieutenant Colonels who could receive benefit from the late promotion, *thirty-two younger Lieutenant-colonels* have received that rank which has been denied to him.

It is not in the diſpoſition of complaint, or in any degree of bad humour, that I have preſumed to ſtate theſe things; but from a deſire to ſubmit them to your Lordſhip's ſerious conſideration, and in the full perſuaſion, that your candour and equity will diſcover the beſt remedies for theſe hardſhips, if they ſhall appear to you to have any real foundation.

And I beg leave to aſſure your Lordſhip, that I ſhould not have troubled you with them, if I were not in my own mind thoroughly convinced that promoting Colonel Stuart in common with others of his rank, at a time when ſuch a general meaſure was taken, could not be conſidered, either as an inſtance of partiality or approbation of his conduct in India, but as a natural conſequence of his rank and behaviour in the King's ſervice, to which alone ſuch promotions are applicable.

The withholding this preferment, which is conſidered as a matter of courſe where there is no criminality, is liable to be interpreted as what I am ſure it was not meant, a deciſion againſt Colonel Stuart's conduct in India; and that deciſion will be ſuppoſed to proceed upon proofs that have not reached the public, becauſe it will not be ſuppoſed, that without ſuch proofs an officer of tried and approved merit in the line of his profeſſion, ſhould be ſet aſide for a mo-

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ment, againſt the juſt and eſtabliſhed preſumption, which makes innocence preſumed rather than guilt, nntil legal conviction puts an end to that preſumption.

I beg your Lordſhip's excuſe for giving you the trouble of reading ſo long a letter; but the duty which I owe to an abſent brother, who, at the date of the laſt advices from him, was flattering himſelf with the hopes of public marks of approbation inſtead of puniſhments or marks of diſpleaſure, made it appear to me unavoidable, and I hope will obtain for me your Lordſhip's pardon for treſpaſſing ſo much upon your time.

I have the honour to be, with great truth and eſteem,

Your Lordſhip's moſt faithful and obedient ſervant,

(Signed) ANDREW STUART.

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From Lord Barrington to Mr. Stuart.

SIR, Beckett, 16th October, 1777.

I Am to acknowledge the honour of your letter, dated the 3d inſtant. The polite candour with which it is written claims, and has my beſt thanks. The matter it contains, I think, may be diſcuſſed in converſation better than by letter; I will therefore, with your permiſſion, defer entering into it till we meet. In the mean time you are at liberty to make any uſe which your prudence and brotherly affection can ſuggeſt of the letter I firſt wrote to you, after the general promotion of Lieutenant-colonels by Brevet. I am, with great truth and regard,

SIR,

Your moſt obedient humble ſervant,

(Signed) BARRINGTON.

Addreſſed thus:

To Andrew Stuart, Eſq;
Berkley-Square, London.

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